



Northern Ireland  
Assembly

# OFFICIAL REPORT (Hansard) and JOURNAL OF PROCEEDINGS

Volume 109

(1 November 2015 to 30 November 2015)



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Minister for Social Development.....	Mr Mervyn Storey
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Minister of Justice.....	Mr David Ford

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Office of the First Minister and deputy First Minister .....	Ms Jennifer McCann Mrs Emma Pengelly
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# Official Report (Hansard)





# Assembly Sittings



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# Northern Ireland Assembly

**Monday 2 November 2015**

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

*Members observed two minutes' silence.*

## Assembly Business

### Ministerial Appointment: Mrs Pengelly

**Mr Speaker:** Before we proceed to today's business, I have an announcement to make. I have to advise the House that I was notified by the First Minister and the deputy First Minister on Wednesday 28 October that they had appointed Mrs Emma Pengelly as a junior Minister in the Office of the First Minister and deputy First Minister.

It is appropriate to acknowledge that that brings representation of women on the Executive Committee up to 40%, which is at least a step in the right direction. Mrs Pengelly affirmed the terms of the Pledge of Office in the presence of the Principal Deputy Speaker and the Clerk/Chief Executive and has now taken up office as a junior Minister.

### Public Petition: Larne Line Timetable

**Mr Speaker:** Mr Stewart Dickson has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes in which to speak.

**Mr Dickson:** It gives me pleasure to present this petition to you today, Mr Speaker. Before I begin, I place on record my thanks to the Larne Line Passenger Group for its hard work in collecting signatures and in holding Translink to account. I also thank Members from the East Antrim constituency, who have supported the petition.

As you will be aware, we had a debate on the matter in the Chamber last month, albeit a brief and rather poorly attended one. I thank the Members who attended that debate. It is perhaps a sign of slow progress in the area that we now have a Regional Development Minister in place, and hopefully a permanent one. I trust that she will work with us and the Larne Line Passenger Group to resolve the issues.

Since the beginning of September, the people of east Antrim have been dealing with a downgraded railway service as the result of timetable changes. Trains run less frequently and service fewer stations, which, ultimately, makes it downright awkward to use the train in east Antrim. In recent weeks, in an attempt to assess the scale of the impact on my constituents, I have been running a survey on my website. The results make for sobering reading. Of those who responded, 75% said that the changes have impacted on them negatively, making their journeys less convenient. Of those, 62% have had to seek alternative means of transport. Unsurprisingly, the chief alternative means is that of a car. Therefore, we have the ludicrous situation in which Translink is pushing more traffic on to the roads, clogging Belfast city centre in the mornings and in the evening rush hour, because, ultimately, travelling by car is faster, cheaper and more convenient than using Translink.

It is far from surprising that, in my survey, only 16% rated the service as good, but, further to that, a massive 75% believe that the service is getting worse. As may be expected, 82% identified frequency as an issue, 44% identified crowding and 41% cost, with others expressing concerns about punctuality, station amenities and park-and-ride facilities.

It is impossible to reach Belfast city centre from Larne or Carrickfergus before 7.00 am via public transport. That is simply unacceptable. However, residents on the other side of the lough on the Bangor line, a town two miles further from Belfast Central than Carrickfergus, can reach

the centre of Belfast by 6.37 am. Larne harbour is in a similar situation and is served by a two-hourly service after 7.20 pm. We need a sensible approach to connections rather than salami-slicing services. Translink should be looking for areas of development, not dragging the timetable backwards. I hope that the petition presented to you today will enable us to move things forward. The Larne Line Passenger Group looks forward to meeting the Minister later today, and I trust that she will be listening in a constructive manner to us all.

*Mr Dickson moved forward and laid the petition on the Table.*

**Mr Speaker:** Thank you, Mr Dickson. I will forward the petition to the Minister for Regional Development and send a copy to the Committee.

## Executive Committee Business

### Shared Education Bill: First Stage

**Mr O'Dowd (The Minister of Education):** I beg to introduce the Shared Education Bill [NIA 66/11-16], which is a Bill to make provision in relation to shared education.

*Bill passed First Stage and ordered to be printed.*

## Private Members' Business

### Marriage Equality

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer will have 10 minutes to propose the motion and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes. As a valid petition of concern was presented on Friday 23 October in relation to this motion, the vote will be on a cross-community basis. I understand that judicial proceedings in relation to same-sex marriage are ongoing in the High Court at the moment, and I therefore caution Members to be particularly careful that they say nothing in their contributions to today's debate that might prejudice those proceedings.

**Mr Eastwood:** I beg to move

*That this Assembly calls on the Executive to table legislation to allow for same-sex marriage.*

We are back again. It is unfortunate that we have to keep putting a motion like this to the House, but it is important to point out that we will keep doing it and keep trying to persuade people of what I think is the proper position.

The motion itself is a very simple one. I know that there has been some criticism that it is quite a simple motion that just calls on the Executive to table legislation to enable same-sex marriage. I think that that is as simple as it needs to be; it does not need to be much more complicated than that. We have a very strong position that there should be protections for Churches and that this is about civil marriage, not religious marriage. We assume that the Executive would take that into account when producing any legislation.

It is unfortunate that, once again, we are faced with a petition of concern on this issue. The petition of concern was originally created and put into statute as a way of protecting minorities. It was not to give the largest party in this House a veto, and it was not to give the largest party in this House a veto to the detriment of minorities. I think that that is what has been happening with the abuse of the petition of concern.

So, as an aside, given the example that we have today, I think that we need to deal with the issue of petitions of concern, because they have been abused. They were there to protect minorities, but they are now there to stop minorities gaining protections in law that they have in other parts of this island and across these islands.

We are very clear in our position on this. We have been clear in this House and in other Houses, and we have put down amendments to legislation going through Westminster. I want to go back to the point that we very much see the need for protections for Churches. We do not want to impose our view of the world on anybody else. I recognise that this country is on a journey, and many Members in the House are on journeys, which, I think, we will find out as this debate progresses today. The SDLP's position is that this is about civil marriage. It is about two people being allowed the opportunity to take part in an institution that I and many other people are allowed to take part in. It should not be the case that we have a barrier to civil marriage just because of people's sexual orientation. If we really want to promote marriage as a positive thing for

people to be involved in, we should open it up to all people who wish to make that commitment because of the love that they have for their partner.

The motion is a simple one, but we are very clear in our position that there needs to be protections for Churches. I will never be heard criticising people for having a different point of view from the one that I have. What I want to do is to try to persuade people of the particular point of view that I hold. If we look at what happened just across the border in the South, we see that an enormous campaign was undertaken to persuade the people of the South — and that is what they did. They understood very clearly that you will not be able to browbeat people into supporting civil marriage. They also understood very clearly that the country is on a journey. I think that we were all — many of us, anyway — delighted to see that that journey culminated in the legislation passing through the Houses of the Oireachtas very recently. Think of the positive image that that sent around the world to people about Ireland being an open, all-embracing, positive, progressive country that embraces all its citizens, no matter where they come from and no matter what their political persuasion or sexual orientation is. That sent a message across the world that Ireland had moved on and moved forward, and I think that we should all be very proud of that.

The difficulty that we have, as Irish citizens on this side of the border, is that we do not have the same rights as people across the island. Equally, people who see themselves as British subjects or citizens do not have the same rights as people in Britain, because, of course, they have taken that step not through a referendum but through the parliamentary process. This is not about being unionist or nationalist, Catholic or Protestant. It is about people understanding that, whatever our political or religious background, we should embrace all the people in our society who want to be embraced and to play their full part in civic life in this part of the world.

So, I am coming at this from a pro-marriage perspective — I am married myself — and not as somebody who wants to undermine anybody else's marriage. I think that we enhance all the marriages that we are involved in in this part of the world by allowing others to take part. Why do we put up barriers to people who want to embrace the idea and the institution of marriage? Surely we should be much more open than that. Surely we should break down the barriers to that.

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

**Mr Eastwood:** Yes.

**Mr Allister:** I just want to test whether the Member puts up any barriers to what he calls admission to the institution of marriage. He said earlier in his speech that, if two people love each other, why should they not be admitted to the institution of marriage. How far does he take that? If some man says, "I love two women. Therefore, I want to marry two women.", does the Member's embracing of equality and their rights cause him to say, "Well, then, let's have polygamy"? That is the same logic that involves this redefinition of marriage. Why not have a further redefinition of marriage? Is that not the road that the Member is taking us down? If it is not, is that because he is drawing some moral line somewhere? If he is drawing a moral line somewhere, why not draw it here?

12.15 pm

**Mr Eastwood:** I thank the Member for his intervention, I think. You always know that you are winning an argument when points like that are brought into the debate. He has done this a number of times. The idea that we are saying that two people who are in love and who want to make a commitment to each other through the institution of marriage is the same as polygamy is ridiculous and is offensive to all those people — *[Interruption.]* It is offensive to all the people in the Public Gallery, outside the Chamber and in this country — *[Interruption.]*

**Mr Speaker:** Order. Through the Chair.

**Mr Eastwood:** — who believe that they should be entitled to the equal rights that everybody else in this country is entitled to. The idea that you can equate polygamy to two people loving each other in a same-sex marriage is absolutely ridiculous and is offensive to say the least.

**Ms Ruane:** Will the Member give way?

**Mr Eastwood:** I will, yes.

**Ms Ruane:** Do you agree with me that polygamy is illegal and that nobody is calling for polygamy?

**Mr Eastwood:** The Member is absolutely right. Thank God that homosexuality is no longer illegal, and thank God that this society has moved on and moved forward and that the communities that we come from have moved on and moved forward through experience in people's families and in people's communities. People have been able to move forward. I come from a different generation from many of the people in the House. I recognise that people are on a journey, and I am prepared to accept that. I am prepared to try to persuade and convince people of the rights of this argument. I wish that the Member would have the same openness and have the ability —

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

**Mr Eastwood:** Go ahead.

**Mr Campbell:** I thank the Member for giving way, even if he did it in a rather resigned fashion. He has used the term "on a journey" twice in his contribution. Normally, when most people set out on a journey, they know their ultimate destination. Can he explain the ultimate destination of the journey that he and, he says, we are on?

**Mr Eastwood:** I thank the Member for his intervention. I am not sure that some people in this House are always sure of where their journey will take them, but, in my view, the journey is about ensuring that all citizens on these islands who love each other and want to get married can get married and can feel that they are properly and fully embraced by society and by government. That is the journey. That is the destination. I think that we will get there. We might not get there today, because a petition of concern has been put down to try to stop equality. That is not what it was supposed to be about.

Look at the people across the border and the way that people from same-sex relationships have been embraced by the community. That was the change that was made. People were embraced by the community, the society and their country. That has changed the image of Ireland. That has changed the prospects of attracting investment to Ireland. That has changed how we look at young people who are homosexual, who have been faced with bullying

that was, over the years, supported and enabled by a society and a Government that allowed it and turned their head away when it was happening.

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

**Mr Eastwood:** OK. I will leave it at that. Thanks.

**Lord Morrow:** The slogan "equal marriage" is a great piece of sloganeering. We hear it relentlessly repeated on the TV and radio and in other media outlets. However, it is ultimately completely vacuous. It does not actually say what marriage is. Only once a decision is made about what marriage is can you debate whether or not our policy on marriage violates marriage equality. In truth, the reasoning behind the appeal to equal marriage is faulty. We all know that every law makes distinctions. Equality before the law protects people from irrational distinctions from laws that treat them differently without reason. However, to know whether or not a law makes the right distinctions, you have to know what the public purpose of the law is. We as an Assembly and our society as a whole have to decide what marriage is.

Supreme Court Justice Samuel Alito, in his dissenting opinion in the 2013 Windsor case, articulated very well the decision that we have to make. He pointed to two contrasting views of marriage: one that he called the consent-based view and one that he called the conjugal view. The consent-based view is the one put forward by proponents and supporters of this motion. It views marriage as being primarily an intense emotional union between consenting adults. Marriage sets out who the most important person is in your life. The core of this vision is emotional commitment. This view was only given legal standing for the first time in the Netherlands in 2001 and has been adopted by around 20 countries worldwide since then.

The comprehensive or traditional view, on the other hand, sees marriage as being, as Justice Alito put it, the:

*"comprehensive, exclusive, permanent union that is intrinsically ordered to producing new life".*

That vision of marriage has been held for millennia by virtually every human culture. It continues to be the vision of marriage affirmed by the vast majority of countries around the world. It would be a mistake to walk away from the traditional comprehensive view of marriage. Introducing in policy the consent-based view of marriage would not be a positive thing for our society. The consent-based view put forward by proponents of this motion sees marriage collapse into companionship in general. It does not see marriage as being a different kind of relationship. If the consent-based notion of marriage is primarily about deep emotional attachments, why should it be permanent? Love can wax and wane. If it dies, should it not just end, and why should it be exclusive? Having extramarital affairs may actually, for some people, be viewed as enhancing their marriage and increasing their emotional attachment to one another.

It is apparent to many of us who believe in the traditional view of marriage that maintaining it has many benefits for our society. I will not labour that point, due to lack of time, but maintaining the current definition of marriage is good for children by helping to ensure that both parents stay together to raise the child. In particular, marriage helps to ensure that fathers stay involved in the lives of their

children. Ideally, children should be raised both by mothers and fathers, who bring different skills and attributes to the parenting enterprise. I appreciate that many heterosexual parents can be terrible parents and that adoption and fostering are necessary in every society, but I remain of the view that our public policy should, as far as possible, promote children being raised by their two biological parents.

Finally, there is considerable evidence to show that marriage benefits men and women who are part of it, and wider families and communities as a whole. We all know that marital breakdown can have serious consequences. I do not believe that adopting the consent-based view of marriage will help in seeking to prevent such breakdown.

In closing, I would like to make a comment about whether opponents of this motion are on the wrong side of history. In November last year, on an edition of 'University Challenge' — a show that, I have no doubt, many in the House watch with interest — this question was asked: who said, in 1956, that history is on our side and we will bury you? The answer was, of course, Nikita Khrushchev. As we all know, he could not have been more wrong in his assertion. Of course, in reality, history does not have a side. It depends on your perspective as to whether or not you are on the right side. Stating that you are on the wrong side of history is merely a rhetorical smokescreen. Rather than lazy sloganeering, it would be better if this debate focused on the core question of having to decide what marriage is.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I stand up to speak in favour of the motion and will continue to stand up and bring these motions to the Floor until this unjust situation is dealt with. It is absolutely absurd, given the fact that public opinion is quite firmly, in my view, in favour of marriage equality here in the North. I am sure that all Members received many emails over recent days, not only from members of the gay community but from the community as a whole, saying that this needs to be corrected. The latest opinion poll on this matter showed that 68% of the public were in favour of marriage equality. Look at the part of Ulster that has already voted for marriage equality: those three counties — Donegal, Monaghan and Cavan — said yes to marriage equality.

**Mr Campbell:** I thank the Member for giving way. He said that a public opinion poll showed that about 68% were in favour. Does he agree that that is just a little bit lower than the figure that traditional opinion polls throughout the UK have given for those in favour of the return of capital punishment? Would he go there?

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

**Mr McKay:** We are getting some very silly arguments today. That is the second one that we have had on the Floor. It goes to show that the Members opposite are losing the argument. There is no rational debate coming from across the Floor. The fact is that this has already been introduced in the South, across the water and the United States of America. You can hold back the tide only for so long.

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

**Mr McKay:** No, I will not give way for any more ridiculous assertions from the Member for North Antrim.

Marriage equality is already the law in Donegal and Dundalk, 50 miles from this Building. Gay couples can get married in a hotel in Dundalk but not in Newry. This is being introduced throughout the rest of the island on 16 November 2015, yet we still have not seen any legislation or legislative proposals for the North. We had an interesting debate the week before last about the hospitality sector and rates for sports clubs. Here is an opportunity for the hospitality sector in the North to avail itself of gay marriages. A lot of gay couples will go to Dundalk or Donegal instead of Ballycastle or Belfast, which is trade lost to the North, so there is also an economic argument that we should not forget.

The marriage equality that we seek protects religious freedom. As the proposer said, the proposal is for civil marriage. If a gay couple wants a civil marriage and sees that as being aligned with their religious beliefs, what about their religious freedom? This goes both ways. The Members opposite have their religious views, and they are absolutely entitled to them. However, members of the gay community have their religious views, and being married may be part of their belief system as well. That argument should not be forgotten either.

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

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

I hope that history will be made today. I hope that Members will be on the right side of history. I genuinely welcome any moves from any of the parties that will help to secure a majority in favour of equal marriage for the first time.

When the South voted for marriage equality, a huge weight was lifted off the shoulders of men and women from the LGBT community. For many people who grew up with stigma, bullying, discrimination and fear of physical and verbal attack, here was a message that they were as equal as anybody else and as entitled to their rights as anybody else. That was a great moment. This affects not just members of the gay community but their mothers, fathers, sons and daughters and everybody in the community. The reason why the vote was carried so convincingly in the South was that the entire community and families of these people rallied around them to say that it was not good enough to have this sort of prejudice in our society in this day and age. I believe that the people in the North will say, and are saying, exactly the same.

We can send out a very clear message here today that, regardless of the petition of concern, a simple majority of MLAs, representing the majority of our constituents and the public in the North, support the LGBT community having the same rights and entitlements as everybody else.

**Mr Allen:** I am proud that the Ulster Unionist Party has made this issue a matter of conscience for Members, allowing all Members to vote in line with their religious belief, conscience and values. Let me say from the outset that I do not wish or intend to tread on anyone's religious beliefs, values or traditions. I will simply speak for myself.

**12.30 pm**

I recall vividly, whilst growing up, the all-too-common passive acceptance of taunting and poking fun at gay and lesbian issues. If I am being honest, I really had not given my position on the matter much thought until relatively recently. In the past few years, I have watched, listened



to and heard many different viewpoints on the topic. On hearing that the issue was coming before the Assembly again, I made a point of speaking to many people on both sides of the issue to better understand their positions, viewpoints and experience. I fully respect that people have a range of views on the issue. In particular, I understand and respect that many people, including members of my party, have deeply held religious views. I have spoken to many pro-LGBT individuals and campaigners over the past number of weeks as well, and my conversations with them have caused me to question the motivation of placing this motion before the Assembly at this point in time. What results do people really expect this time? It is a fact that the make-up of the Assembly has not dramatically changed since the previous four debates, so I cannot help but wonder whether the issue is being used as electoral opportunism. We, as public representatives, have a duty of care to our constituents, many of whom will be concerned that this emotive issue is being used as a political football. The famous quote from Albert Einstein —

**Mr B McCrea:** Will the Member give way?

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

The famous quote from Albert Einstein unfortunately comes to mind about the definition of insanity being when you do the same thing over and over again and expect different results.

I fully respect people's right to oppose equal marriage, but we really need to take the time to understand the effect that this — the fifth time that the Assembly has debated such a motion — will have on the LGBT community, who have been getting all the wrong kinds of messages from elements of the Assembly. I certainly will not stand in moral judgement of anyone; my belief is live and let live. I want to see a society where no one is discriminated against and everyone is allowed to practise their religious and cultural beliefs freely and without fear. I want to see a society in Northern Ireland where no one is made to feel like a second-class citizen to any extent. I believe in fairness and natural justice.

Growing up, I always believed that marriage should be between one man and one woman, but now, as someone who is married and lives happily with my wife and two children, I would not feel comfortable — it would not be right — with denying lesbian, gay, bisexual and/or transgender people the opportunity to live happily with the person they love and whom they wish to marry if they choose. I believe in equality and that love is love, whether between a man and a woman, two men or two women. In life, I have always tried to do what I believe to be right. In the case of same-sex marriage, the LGBT community deserves equal recognition under the law, provided, of course, that religious independence is assured and that Churches are not compelled to conduct ceremonies with which they cannot agree. That is the position in the rest of the United Kingdom and in the Republic of Ireland. It is about fairness and natural justice.

**Mr Lunn:** The first thing I want to do is congratulate Mr Allen on that speech. It was excellent.

I welcome the motion. It is not because I want to see the same thing being brought back to the Assembly time after time. It is a simple and very straightforward motion that calls on the Assembly to bring forward legislation. If you think about it, the only time that we will effectively decide

this matter is when legislation is brought forward. Anything prior to that, while important, is shadow boxing. Today, we have a short motion that will provide at least a test of opinion as to what the House feels about this matter. My feeling is that, this time, the House will vote in favour of the motion.

I heard Mr Campbell on 'The Stephen Nolan Show' recently complaining that the motion suffered from a lack of detail. That made me laugh. You could almost infer from that that, had there been sufficient detail, the DUP might have considered it, but that, clearly, is ridiculous. The time to scrutinise this would be when legislation is brought forward. The fact that we have a petition of concern today is equally ridiculous. A petition of concern on a private Members' motion does not change a single vote in what the outcome will be today.

I wish that we could get to the point at which parties rely on a three-line whip and forget about petitions of concern.

This is an equality issue for the Alliance Party —

**Mr Givan:** I appreciate the Member giving way. Given that this is a motion and therefore does not carry any weight, why do the Members who tabled it not bring forward a private Member's Bill? They are asking the Executive to bring forward legislation, and, for as long as our party has the ability to control things on the Executive, there will not be legislation. Why do Members not bring forward a Bill with detail rather than constantly use a motion to debate the issue?

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

**Mr Lunn:** Thank you, Mr Speaker. I thank the Member for his intervention. He makes a fair point. He is perhaps asking the wrong Member, because, as everybody knows, I am a fairly recent convert to this point of view. It may well be that somebody, following today's vote — if it is in favour — will think it worthwhile to bring forward a Bill, and I hope that that is done.

As I was about to say, this is an equality issue for the Alliance Party, and it is an equality issue for me. However, in fairness to those who I know oppose this, I can hardly criticise them too roundly, because they are in the position that I was in at four previous votes. Therefore, I have a lot of respect for their view. I do not agree with it any more, but I have to respect the fact that, in Mr Campbell's terms, a journey is a journey and that some people take longer to get there than others. I do not agree that a journey has to have a final destination. We are all on a journey through life.

**Mrs D Kelly:** Will the Member give way?

**Mr Lunn:** I am a wee bit pressed here.

As I said, it is an equality issue, but you cannot divorce it from conscience. It is clearly also a matter of personal conscience. We all come under pressure from our instincts, our upbringing and our Church, if you belong to one, and all those pressures come to bear. Some of the pressure that has been applied on this occasion, through Twitter and other websites, on a particular Member from my party — not me — has been absolutely disgraceful and out of order. That is all that I want to say about that.

Mr Nesbitt has been often quoted for his wrong side of history point and his comment that the younger generation will not understand what the Assembly is about. The Assembly has the opportunity today to get on the right side



of history and recognise the strength of feeling out there among the population.

**Lord Morrow:** Will the Member give way?

**Mr Lunn:** No.

**Lord Morrow:** I did not think that you would.

**Mr Lunn:** Then you are not disappointed.

**Mr Speaker:** Order.

**Mr Lunn:** As I said, I am under pressure with time.

I believe in equality and in equality under the law. For me, that equality extends to everybody in our society, including the minority groups that we all know about under section 75. In this particular context, it extends to gay people — the LGBT community.

I took a while to come to terms with civil partnerships away back when. The journey has been long for me, but I now am where I am, and I am satisfied and comfortable with the position that I am taking. I believe in civil partnerships, I believe that gay couples should be able to adopt and I have no problem whatsoever with blood donations from anybody. I cannot see how I can continue to hold a position against civil marriage for gay people if I believe in equality under civil law. That is where I stand.

Lord Morrow asked what a marriage is, and Mr Allister made silly points about polygamy. Marriage is the union of two people who love each other. That is it. The only question is whether we extend that beyond it being between a man and a woman to include two people of the same sex. It is time that we take that challenge in hand and deal with it. I support the motion.

**Mr Speaker:** There is much too much background noise. This is a very important debate, and we should all be given the opportunity to hear the contributions.

I call Mr Peter Weir.

**Mr Weir:** Thank you, Mr Speaker, for silencing the Chamber for my benefit.

**Mr Speaker:** Most of the noise was behind you. *[Laughter.]*

**Mr Weir:** I appreciate that.

Mr Speaker, you are correct to say that this is a very serious debate. I hope that the serious tone of the debate can be maintained, because it is a very serious issue for people on both sides of the argument. I stand against the motion. Obviously, we have had this debate in different forms on four previous occasions. In many ways, the fundamental reasons why I oppose this motion have not changed. There are three main reasons for that.

I will pick up where Mr Lunn left off. He talked about the definition of marriage. I do not make any judgement about any other form of relationship, but my belief is that marriage should be between one man and one woman. That is by nature. If people want to say that that is an exclusive definition or that it is not inclusive, they are completely correct. Marriage, by definition, excludes on a range of grounds, including gender and the number of people involved. That is not just an academic debating point; a couple of countries are already looking at the issue of polygamy. Marriage is also defined by the age of the people taking part and by the blood links between those getting married. The reality is that, once you move away

from those fundamentals, as opposed to simply tinkering at the edges, you actually destroy the definition of marriage; you render the idea of marriage meaningless.

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

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

**Mr Lunn:** I thank the Member for his comments. Does he agree with me, just for the record, that it is perfectly possible for two people of the same sex to love each other and want to commit to each other in a way that no form other than marriage can possibly be contemplated?

**Mr Weir:** And that is why we have civil partnerships, which very neatly brings me to my second point. If this issue is about substantive rights, I believe that provision has already been made for those in terms of civil partnerships, inheritance, taxation and all proprietary rights. Those were part of a wide range of things that were brought in by the Labour Government some time ago. So, if the issue is about substantive rights, that is already sorted out. I stand to be corrected, but I think that we may well have been unique in the world in having that form of civil partnership. There may be others —

**Ms Ruane:** Will the Member give way?

**Mr Weir:** No, I have a limited amount of time. I know that, later on, the Member will give the winding-up speech.

From that point of view, I believe that that issue is already covered. That leaves one key —

**Mr B McCrea:** Will the Member give way?

**Mr Weir:** No. I am sure that I will be able to listen to the wise words of Mr McCrea at a later stage in the debate, but I have a limited amount of time.

That, then, leaves the real issue of equality. The motion and speeches have been peppered with mention of equality. If you are a true believer in equality and if that, above substantive rights, is the driver, the motion proposed does not render equality either. It is neither equal, nor is it the endgame.

A number of years ago, the Labour Government brought in civil partnerships, which were meant to sort out the problem of how we recognise relationships between people of the same sex. That was supposed to be the endgame of the proposal. Now, a number of years down the line, we see that the issue has been pushed into a position where it is recognition of civil marriage. The reality is that that will simply be a stepping stone to the next demand, which will clearly be that religious ceremonies are recognised and that there is total equality. If you are part of a gay or lesbian couple and you have the offer on the table of civil marriage but are denied any opportunity of religious ceremony or the opportunity for a Church to conduct that wedding, or, indeed, of a particular faith, you are not, according to your own definition, being treated equally. So, it will only be a matter of time before that is the case.

Although there is no direct reference to it in this motion, we are told that the proposers of the motion are very much in favour of protections for Churches. Is that the same as the protection of conscience in the provision of goods, as we saw, for instance, in the Ashers case? In that case, on a matter of conscience, the bakery said, "No, we are not going to produce a particular item. We want the right to dissent." Yet, the bakery was taken to court. If civil

marriage is brought into place, how long will it be, either directly or indirectly, before the Churches —

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

**Mr Weir:** No, I have only a minute or so to go. How long will it be before the Churches are pressurised and, if not compelled by way of law, put into a situation where, for example, requirements for funding or other forms of assistance, will require that? I think it is naive to believe otherwise. I am sure that many of the people who have put this forward are well intended, but it is naive to believe that what is proposed today is going to be the endgame solution. This is, inevitably, part of a process in which the Churches and their rights will be put under threat. For all those reasons, I urge this House to do as it has done before and reject this motion.

12.45 pm

**Mr Speaker:** Thank you. I call Mr Phil Flanagan.

**Mr McNarry:** On a point of order, Mr Speaker. In deference to your authority, I propose that we close the debate and move to the vote now. I do not think that the House will hear anything new, except previous well-aided arguments. This is repetitive; it is the fifth time that the issue has been debated, and, as we all know, we have a petition of concern. There is no point to the debate continuing, and I move that we take the vote now.

**Mr Flanagan:** Further to that point of order, Mr Speaker. I think that the Standing Order that the Member references, and I am sure you are going to quote it, highlights that the Speaker can make such a determination if he feels that the views of all Members have been heard. I am sure that the Assembly is keen to hear the views of all representatives here and not just the views of those in the largest parties. I am particularly keen to hear the views of the naughty corner, as Mr McNarry likes to call it. Is he now saying that he does not want the people in that corner to be heard? I think that it is worthwhile to hear from all individuals in the House.

**Mr Speaker:** Thank you for the point of order. The Standing Order is Standing Order 25, which requires that, before a motion to close the debate is moved, the Speaker is satisfied that all parties present have had a reasonable opportunity to contribute to the debate. In fact, I have a substantial list, and I have some anxiety about the number of interventions, which are perfectly acceptable, but they eat into the time that is allocated by the Business Committee, and I am bound by the amount of time that has been set aside by the Business Committee.

I think that the debate should continue. For my part, I will endeavour to ensure that everyone who has taken the trouble to put their names down will be called to make a contribution, but it is already proving to be a challenge. The debate should continue, and I call Mr Phil Flanagan.

**Mr McNarry:** On a further point of order, Mr Speaker.

**Mr Speaker:** Yes, and I am sure that you are not going to challenge the Chair's ruling on this matter.

**Mr McNarry:** I am absolutely not going to challenge it. Would you accept that I would put that proposition to you again in 15 minutes?

**Mr Speaker:** You can attempt to do so, and I will judge it in 15 minutes.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh an rún seo.

I fully support the rights of all our citizens to avail themselves of all of the same rights and services as everyone in our society. Their gender, race, religion or sexual orientation should not be a factor in the determination of such a matter. I believe that that right extends to marriage.

Some in our society, and some in the House, may well have argued that mixed race or mixed religious marriages should not be legal. Those people were on the wrong side of history, to quote one of the Members of the House recently.

We all recognise that, for some in our society, marriage is often a religious sacrament. I was married in a religious ceremony in a Catholic church. In fact, my wife and I went to Rome just to make sure. *[Laughter.]* However, marriage is also a civil matter; it is not just a religious matter. When you get married in a religious institution, you get handed paperwork on behalf of the Church, but the person carrying out the ceremony also hands you a civil certificate to say that you are married. Even though there is only one ceremony, there are two key aspects to it; there is the civil aspect, and there is the aspect of the marriage where the couple believe that they are married in the eyes of God.

I would like to see civil marriage being extended to allow citizens of the same sexual orientation or from the transgender community to marry. I do not think that that is a huge risk for all of us to take. In my view, such a move does not threaten the institution of my marriage, and I certainly do not think that anybody else who is married should feel threatened by it in any way at all. It does not demean the existing marriage of any couple.

This is not a religious matter. Protections should be afforded to religious institutions to ensure that, as Members have said, they are not forced into carrying out religious ceremonies that go against their own teaching. However, there are two aspects to the celebrant's role: there is the religious aspect and the civil aspect. We want to see that those individuals who carry out marriages are allowed to carry out a civil marriage between two individuals from the LGBT community.

**Mr B McCrea:** I thank the Member for giving way. I want to follow up on the point he made in his intervention earlier to say that this part of the naughty corner would really like to have a say on the matter, and I thank the Member for bringing it to the attention of the Speaker who will, no doubt, look at that in 15 minutes' time.

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

**Mr Flanagan:** I thank the Member for his intervention. I was concerned that Mr McNarry raised his point of order because I was to speak next; but I will not take it personally if he does so again in 15 minutes.

Many more couples are choosing to marry outside the Church. The number of marriages in non-religious, civil institutions, such as town halls, hotels and other facilities, is increasing. In a recent opinion poll, 68% of people indicated that they support the extension of the right to marry to people in the LGBT community. That shows widespread public support for this change. We as MLAs have a duty to listen to and represent the views of a growing number of people in our society.

People who engage in debate, whether in this House, on radio or TV talk shows, or from the audience of TV shows, should not use offensive and degrading terms to refer to people who are merely crying out for equality. Do we really want to send out the message that, in this state, the love between two citizens who happen to be in the LGBT community is a lesser love than that of any other couple? That is a very dangerous message to put out. The prejudices and the stigma behind that message are exactly why we have such poor figures for mental health problems, self-harm and suicide in the LGBT community. People in this House really need to wise up and realise the message that they are sending out. Some have said that, by bringing back this motion every six months, we send out a very poor message. The message that is being sent out is that we do not treat the love between two citizens the same as the love between two other citizens. I do not agree with that. The love between any two citizens may be as strong and as valid as the love between any other two citizens.

Once again, we see the shameful use and abuse of the petition of concern by the DUP. They are using a mechanism that was established to protect minorities to force their own narrow, outdated, religious dogma on all our citizens, regardless of the beliefs of those citizens. Despite the petition of concern, I am hopeful that, on this occasion, a majority of MLAs will deliver a moral victory by supporting this motion for marriage equality. Of course, the party opposite would, I believe, oppose once again the decriminalisation of homosexuality and the introduction of civil partnerships, if they were debated today.

The referendum in the South was a joyous occasion. It was an excellent demonstration in public debate of how citizens can engage in a debate and bring round their politicians, some of whom were very reluctant to champion this issue. We now see senior figures in the Government in the South acting as cheerleaders for equal marriage, despite their personal concerns at the start.

The campaign needs to continue. The campaign in the South was won not just by members of the LGBT community but by their families and friends. Am I seriously to believe that no Members of this House who will oppose this motion have sons or daughters who are members of the LGBT community and who feel shunned by society as a result of the attitudes of what I hope will be a minority of MLAs opposing equal marriage? Those Members will not only be on the wrong side of history but on the wrong side of the present.

**Mr Lyons:** I welcome the opportunity to take part in this debate. It is clear that this debate has gathered considerable interest, if the emails, phone calls and text messages that I have received are anything to go by. It is also clear that it is a deeply emotive issue, and, as such, it is right that we are careful with the words we speak and the tone we use. Mindful of that, I want to set out why I will oppose the motion.

My first reason relates to the wording of the motion itself. I think that it would be wrong for the House to go down this route at this stage simply because we are coming towards the end of a mandate, and I think that we do not have the necessary time to debate the issue properly and give it the scrutiny it needs. In addition, it is obvious that it is not the will of the Executive at this time to progress this. That is my first reason for concluding that we are right to oppose this motion.

When we get down to the core issue, I believe that we are right to oppose this motion.

When we legislate for same-sex marriage, we will not be dealing with a rights issue as has been claimed: instead, we will be redefining what marriage is. Those who support changing the law are quick to talk about this being a rights issue — understandably, from their point of view, because it is very easy to argue on the basis that you are trying to extend rights to other people. However, civil partnerships provide rights and protections for same-sex couples. The European Court of Human Rights has ruled that same-sex marriage is not a human right, so this is not a rights issue.

The legislation being proposed to the Executive would actually redefine what marriage is. Marriage is currently defined in Northern Ireland as:

*“the voluntary union for life of one man and one woman to the exclusion of all others”*

To change that in order to allow for same-sex marriage would not simply tinker at the edges of what marriage is: it would completely transform it. In fact, it would turn it on its head.

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

**Mr Lyons:** I will give way on that point.

**Mr Givan:** The Member cited the European Court of Human Rights. Does he also recognise that the United Nations Human Rights Committee has also said that the current definition of marriage in Northern Ireland is not a violation of international human rights law?

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

**Mr Lyons:** I thank the Member for his intervention on very a good point and for giving me an extra minute.

So we have this definition, and we have heard evidence that this is not a rights issue. Why has that definition held for so long? It is because marriage in its current form is good for society, and it is not something that we should want to change.

We have already learned here that legislation on this issue, first, would fundamentally change what marriage is; and secondly, it would not change the fact that same-sex couples already have rights through civil partnership. However, it would have an effect on the rights of many hundreds and thousands of people across Northern Ireland: those who believe and those who want to express their belief that marriage can only ever be between one man and one woman. Sadly, we have had numerous examples from the rest of the UK that have shown how teachers, adoption agencies, businesses and public servants have been negatively affected as a result of their beliefs on this issue. I have no doubt that the same would happen if this were to become law in Northern Ireland.

Finally, I want to express my concern at the way in which some people have denigrated others who hold to the traditional view of marriage as a result of their faith. They should not be excluded from this debate simply because it is their faith that informs them on these issues. They should not be belittled for the views that they hold. I make no apology for the fact that my faith influences my thinking on all matters —

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

**Mr Lyons:** No; I am running out of time.

I know that that will frustrate some people here who think that, when I enter this Chamber, I should flick a switch and turn that off. I cannot do that, and nor would I want to. We are all shaped by our lives, by our experiences and by our beliefs. These beliefs may be formed in different ways, but people should be entitled to hold and express those beliefs, no matter what the issue is. I am not here today to speak only for myself: I am representing the views of those across my constituency and across Northern Ireland who believe that marriage should be between one man and one woman; who believe that the rights of people are protected through civil partnerships; who believe that freedom of expression and liberty is at risk; and who believe that the motion should be rejected.

**Ms Hanna:** I support the motion and those who will be most affected by the outcome. Like many people, I watched the referendum in the South just before the summer. I actually campaigned in it, and, I have to say, as someone who has been involved in elections for going on for 15 years, that I do not remember one being as life-affirming and positive since the referendum that we had here in 1998. It was so moving to hear the impact and testimony from people who would be directly affected by the change and those who would not, particularly those who lived through a time when homosexuality was still illegal, which, unbelievably, was the case in the Republic until 1993. We have to remember, of course, that there were politicians who argued against the change then.

#### 1.00 pm

I suspect that some of the most important testimony in moving votes, changing polling and the result in the South came from a former president, Mary McAleese, and from Tom Curran, the general secretary of Fine Gael. Both spoke about their experiences as parents and as families, their feelings when their children told them that they were gay and their worries and concerns. It was not because they loved their children any less or felt that they were different in any way, but it was their fears for their children and their prospects, how they would be mistreated or treated differently and the things that they would be excluded from in their lives. The result in May, by the simple act of people standing with gay members of our community, going into a polling booth and voting in solidarity for them, slightly changed the outcomes of such conversations. The conversation that many young people will have with their parents will be that little bit easier on the basis that their country has stood with them and said that they are equal and validated and that their relationships are cherished.

That is what the Assembly can and should do today: send the message to everybody, but particularly to LGBT young people, who are disproportionately affected by mental health issues, saying that they are free and equal and can fall in love and plan their lives like everybody in the Chamber is allowed to do.

Since marriage equality was approved across the water, we can see that the world has not fallen in. Those of us who believe that marriage is an important building block in society should be encouraged that more people want to buy into that institution. We should also be very careful about spurious claims about unintended consequences. Families with same-sex couples exist, and those children

are raised in happy, loving, healthy homes. What will damage them most is continuing to stigmatise their households and families and not allowing them legal status.

The issue has also given a complete lie to the notion that young people are not interested in politics. I had over 700 emails on the issue, and I know, from the messages, names and addresses, that it is not just a young person's issue; it is not a unionist or nationalist issue; it is not a religious or non-religious issue; and it is not a left/right issue. Opinions across the board believe that we should change our view.

Northern Ireland is now the only part of these islands in which your marriage is invalid if you are gay. We have to clear that up. If somebody is married in Dublin or London, at what point when they enter Northern Ireland do we think that their marriage ceases to exist?

**Mrs D Kelly:** I thank the Member for giving way. Does she agree that it is another example of the people being ahead of the politicians and that the politicians should listen to the people?

**Ms Hanna:** I think that it is. Polling shows that over two thirds of people support marriage equality, with a smaller number who have not made up their mind but are not opposed yet.

The separate but equal argument is that people should be happy with civil partnership. I ask Members who are married whether they would be happy to downgrade their marriage to a civil partnership if they think that it is fundamentally acceptable and that it gives people the same expression of their relationship.

I want to be very clear that I do not want any Member to feel coerced into voting for this. I believe very strongly in persuasion and not persecution. God knows, unless you are a clone — I am not suggesting that anybody in the Chamber is — at some point, we will all have an issue on which we will be at odds with our party. I do not want to be in a party or a society that does not allow such dissent in people's views.

I commend the people in my party who have a different view. While I fundamentally disagree with it, particularly when they have set out their case, I respect their right to do so.

**Mr D Bradley:** Will the Member give way?

**Ms Hanna:** Yes, I will.

**Mr D Bradley:** Does the Member agree that the motion does not and will not affect marriages that take place in churches and that it is not a redefinition of marriage but an expansion of the understanding of marriage that makes it more inclusive?

**Ms Hanna:** Yes, it will. The faith that I belong to, for example, does not allow people who are divorced to be married, and it has not been forced into doing that.

I want all Members to engage on the issue. They should engage with the testimony that they have no doubt received from people. I understand that people are struggling with their faith, but I hope that they will, in time, realise that many others have seen that it is entirely compatible with Christian values of love and compassion.



**Mr Kennedy:** At the outset, I want to say that I oppose the motion. This is yet another debate on the issue within a very short time — I think that it is debate number five. I say again to the proposers of the motion that they are guilty of engaging in a highly cynical political exercise, undoubtedly an electoral exercise, which will be of absolutely no benefit to any section of our community, least of all the LGBT community, which I think is being deliberately used by some parties in the House for perceived political advantage.

The House will know that my party believes that issues of this nature are matters of personal conscience; therefore, although I have been called as an Ulster Unionist, I speak in a personal capacity. It is a matter of regret to me that members of all political parties are not allowed the liberty to speak freely to their consciences on the issue.

In previous debates on the matter, I made clear my opposition to any change in the current legislation to allow for same-sex marriage. That remains my position. It is a position based on my religious beliefs, and it is consistent with the teaching of my Church, the Presbyterian Church, and with the publicly expressed views of other Churches, including the Roman Catholic Church, the Church of Ireland and the main denominations in Northern Ireland and Ireland generally. Most important, it is a position that I believe is fundamentally consistent with the teaching of holy scripture. What is of importance to me in this debate is not the teaching of any Church, but the teaching of scripture itself. It is clear to me, from my understanding of scripture, that there should be no change in the current situation.

**Mr B McCrea:** Will the Member give way?

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

**Mr B McCrea:** Given that the Member has talked about scripture, does he think that marriage is a wholly Christian concept?

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

**Mr Kennedy:** I am grateful to the Member. It is clearly not exclusively so, but many of its main foundations are found in the teaching of scripture.

Redefining marriage would have far-reaching consequences for our entire society, and I do not believe that there is widespread public support in Northern Ireland for such a proposal. In holding that view, I do not believe that I should be regarded as homophobic. Indeed, any such suggestion would offend and appal me. I do not disparage the LGBT community; neither is it my role or practice to be judgemental.

Like most Members, I have received much correspondence in the run-up to the debate from those on both sides of the argument. One such piece of correspondence, which outlined clear opposition to any change in the law in Northern Ireland, came from Professor Dr Stephen Williams, professor of systematic theology at Union Theological College, Belfast, which is part of Queen's University, Belfast and where students are prepared for the Presbyterian ministry. Part of his submission addressed the equality argument, on which proponents of the debate wax lyrical. With the permission of Dr Williams, I will share a short section of his thinking on this aspect of the debate. I am grateful to him for his interest and insight. He wrote:

*"The equality argument is not at all compelling.*

*Actually, same-sex marriage will reveal, not abolish, differences between heterosexual and homosexual couples. Marriage is not all about children and many heterosexual households are, sadly, unfit places for children to be raised.*

*However, one difference stands out between heterosexual and homosexual couples: if the former cannot have their own children, it is not because they belong to different sexes; if the latter cannot have their own children, it is precisely because they belong to different sexes.*

*This makes the two types of marriage ... unequal, quite apart from any re-definition of marriage involved."*

Dr Williams concluded:

*"Same-sex marriage is the wrong way to tackle any discrimination against gay people."*

Therefore, for the reasons that I have set out — personal and deeply held convictions, reasons that I believe are clearly supported and shared by a great many people and that I cannot and will not set aside — I remain opposed to the proposal.

**Mr Speaker:** Before I call Mr Jim Allister, I advise him that, because of time constraints — I know that you are always generous about taking interventions — I will not be able to allocate the extra minute, as I have to call the Minister to respond.

**Mr Allister:** Thank you. For me, this is not a matter of popularism but a matter of principle. It is not about being on the right or wrong side of history. For me, it is unapologetically about being on the side of that which is right, informed by my conscience and my religious belief, which quite properly can and should inform these matters.

This is the fifth attempt in the House to redefine marriage, and that is what it is, despite what some have said. It is an attempt to redefine marriage, to replace the time-honoured, purposeful definition of "marriage" as being between one man and one woman with the perverse definition that demeans traditional marriage by equating it to same-sex marriage, to which there is no procreational purpose. There is only the purpose of pandering to the pretence that there is some right that is being denied. This is not a rights issue. As has been pointed out, there is no human right recognised by the European Convention on Human Rights or the European Court of Human Rights to same-sex marriage. It therefore cannot be and is not a rights issue, nor is it an issue of equality. Rather, there is a worked-up, phoney demand for rights where none does or should exist. There is no equality issue here.

Of course, the demand is based on the fatuous suggestion that same-sex marriage is really the same as regular man-to-woman marriage and that there is no difference between the two. I would like to quote a source that I am maybe not given to quoting, but it is very apt on this occasion. I quote from a letter from the Catholic bishops to Members of the House. The letter dealt appropriately with that point when it stated:

*"The proposed ... motion before the assembly effectively says to parents, children and society that the state should not, and will not, promote any*

*normative or ideal family environment for raising children. It therefore implies that the biological bond and natural ties between a child and its mother and father have no intrinsic value for the child or for society."*

That is what the motion comes down to. It comes down to saying that the normative, natural environment of raising children with a father and a mother and their biological link is of no intrinsic value whatsoever and that you just equate the "unequatable" and simply roll together same-sex marriage, where procreation is impossible, with the traditional concept of regular marriage, where procreation is often but not on every occasion the natural process and the natural God-given environment in which to raise children to the best possible effect. So this is an issue that tries to equate two irreconcilable concepts: that of traditional marriage between a man and a woman and that of the phoney suggestion that, for no purpose other than to pander to what has been built up as a right when it is not a right, you give to others some equivalence to something that there is no equivalence within; namely, same-sex marriage.

So, for the fifth time in the House, I will, robustly and with conviction, whatever the popularism might be, defend with my vote the right of traditional marriage, believing that that is a bedrock for the success of society, and believing that the more we tinker, tamper, demean and diminish that, the more we will take this society spiralling downwards. I think that we have done enough of that already.

1.15 pm

**Mrs Foster (The Minister of Finance and Personnel):**

I note that the call to act in the motion is directed at the Executive. However, as the subject matter falls within the remit of my Department, I have agreed to respond.

Apart from a few notable exceptions, the debate, which we have heard for the fifth time in this place, has taken place in a spirit of generosity. When my predecessor responded to the most recent motion on the subject, on 27 April this year, he referred to his feeling of *déjà vu*. Having listened to, essentially, the exact same arguments on this occasion, I have a similar feeling. I wonder whether the debate on this motion represents the best use of the Assembly's time. We have heard various opinions as to why the debate has come before us again, and I must say that I tend to agree with them.

For my part, I think that it is unhelpful, to say the least, to have to go over the same ground just six months down the line. I spoke as a Back-Bench politician in the previous debate on this issue. I said that every time this debate comes before the Assembly, it causes distress; it causes distress to the faith communities and it causes distress to the LGBT community as well. The more it comes up, again and again, without any prospect of resolution, it causes distress to everyone involved. However, I am content to reiterate the arguments in support of the policy position on same-sex marriage because I believe that those arguments are principled and persuasive and cannot easily be set aside.

This is not an equality issue. I think a number of commentators have attempted to make it so. Those opposite and, indeed, some in the UUP, would like to say that this is an equality issue for their own political reasons, but just because you keep saying that it is an equality

issue does not make it an equality issue. We have heard from the ECHR and the United Nations that it is not an equality issue. Those of us on this side of the House recall well what the president of Sinn Féin had to say about equality when he spoke in Enniskillen some time ago.

Contrary to what has been suggested, the law in Northern Ireland does not disparage or denigrate same-sex relationships, and same-sex couples are not precluded from having a loving, secure, stable and permanent relationship. Specific provision has been made to ensure legal recognition for same-sex relationships, and nothing — nothing — turns on the fact that same-sex couples are referred to as "partners" rather than "spouses". Let me assure Ms Hanna, who made the point that some of us on this side are probably struggling with our faith in relation to this issue, that I am not struggling with my faith in relation to any of the issues raised here today.

Put simply, the current law regarding same-sex relationships is operating perfectly well, and the usual drivers for legislative reform do not exist. Other jurisdictions are free to determine their own legislative path and to laud their own approach. We have heard the approach of the Republic of Ireland and, indeed, Great Britain being lauded. That is entirely a matter for people if they want to do that, but we are not bound to follow suit. That is what devolution is all about.

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

**Mrs Foster:** No, I will not. I do not for one minute accept the suggestion that, because Northern Ireland has not followed suit and has not followed along as if we do not have our own mind on these matters, we are less enlightened than those jurisdictions that have "extended" marriage to same-sex couples. I place "extended" in inverted commas because, in reality, some of those jurisdictions have essentially repackaged their law on civil partnerships and, consequently, the rights and responsibilities of same-sex spouses are essentially the same as the rights and responsibilities of civil partners. I expect that that is why those jurisdictions offer the option of a simple conversion process. Some jurisdictions may claim to have extended marriage to same-sex couples, but closer scrutiny reveals significant qualifications, particularly in relation to assisted conception.

As you know, Mr Speaker, resources are extremely limited at present and I see little merit in a repackaging exercise for Northern Ireland. By the way, on Mr McKay's point about public opinion, it might interest him to know that, during the consultation on the Civil Partnership Bill, 86% of correspondents opposed civil partnership at that point. He may want to reflect on arguing that point. At the point of introduction, the Civil Partnership Bill was assessed as being compliant with international law and standards and the law on civil partnership remains so today. We should be proud of the fact that our law strikes an appropriate balance between the interests of same-sex couples and the interests of people of faith. Those who are truly committed to diversity will see the intrinsic merit in protecting a diverse range of values and beliefs. They will not seek to elevate their own interests above all others, nor will they seek to silence those who may have different views.

Like many others in this House, I have received many emails from those who support "same-sex marriage" and more, in fact, from those who support the institution of

marriage as it is. All the emails that I received in support of the motion were, essentially, drafted by Amnesty International. When I responded, only a handful came back a second time. Of those who did, only one was gracious enough to acknowledge my right to hold a different view. All others engaged in abusive emails. We had an initial facade and then the abusive follow-up. I regret that people in our society use abuse to push their own views forward. As I said to one of the correspondents who came back to me, when one engages in personal abuse, one has essentially lost the argument.

Those who support same-sex marriage are quick to suggest that any change to the law could be carefully managed to ensure that there are appropriate protections for people of faith. We have heard that here again today, but we have heard the contrary view as well. Given recent developments at home and abroad, as Mr Weir pointed out, I think that it is right to adopt a cautious approach and to leave things as they are. Ultimately, I see no need for legislative change. I invite Members to join me in rejecting the motion.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle.

Sinn Féin wants to see this island be part of a progressive world where all citizens can be married regardless of their sexual orientation. We want to join the nations that have supported marriage equality: Argentina, Brazil, Canada, Denmark, France, Iceland, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, England, Scotland, Wales, Uruguay, the United States of America and the South of Ireland.

This is the fifth time that we have played our role in bringing this motion forward. We are very proud of that. The suffragettes had to bring many motions forward before people listened to the right of women to have a vote. People, many of whom were on the opposite Benches, opposed interracial marriage or supported apartheid. People also had to fight for their rights and change civil marriage so that there could be marriage between different races.

Today's motion is a joint one with the SDLP. Previously, it was with the Green Party. I am honoured to make the winding-up speech on the motion. I would like to thank everyone who contributed to the debate. I genuinely welcome the tone of the debate. I am now calling on everyone in the Assembly to join us and make history. If a majority of the Assembly votes yes to equality, notwithstanding the knee-jerk reaction of the petition of concern, it will send a powerful message around the world; the same powerful message that reverberated around the globe when the South of Ireland voted yes a few short months ago.

The DUP is saying its usual no. It is citing civil partnerships, saying that there are only a few little differences, but it was opposed to civil partnership, and it has never said that it supports civil partnership. There are fundamental differences between civil partnership and civil marriage. It is using a petition of concern to discriminate against an entire community. Let us call it as it is. It is very disappointing to see a Government Minister, who has taken a Pledge of Office, urging people to vote no for equality.

I welcome Andy Allen's contribution today, but what is the leader of the UUP doing? Mike Nesbitt, the leader of the party, feels the hand of history on his shoulder and warns the party that it should not be on the wrong side of

history, yet he tells us that he is going to vote no. For me, that is very strange leadership. I am sorry; I do not want to be dismissive, but it is poor leadership. It is a bizarre and contradictory position, and it does a grave disservice to the LGBT community. The question is this: is the leader of the UUP playing to the media gallery, talking out of both sides of his mouth?

I would like to thank the SDLP for this joint motion. I welcome Colum and Claire's contributions, and I agree with many of the comments that they made. I hope that all the other SDLP Members will join with them today in voting. The last time, we lost by two votes, and five Members of that party did not vote, but I hope that those days are over. That is all that I will say about that, and I welcome the fact that we are presenting a joint motion today. I would say the same to my colleagues in the Alliance Party, but I want to pay tribute to Trevor Lunn's leadership. He has shown huge leadership. I hope that everyone in the Alliance Party will abide by their party policy and vote a resounding yes.

The tone of the debate is a far cry from the first debate in which I participated in the Assembly, when the fires of hell were visited on the LGBT community and some very choice and disgusting language was used. Thankfully, we are now having the debate in a much better environment. The arguments against have changed slightly as they realise that they are so out of step with society and particularly with young people. We have heard them say, "They have civil partnership, why do they want marriage?" or "It is a lifestyle choice". They say, "Let's not redefine marriage", but if you look at civil marriage over the years, of course it has been redefined as society evolves. None of us would have wanted the civil marriage that existed in the past; times are changing.

The other debate we get is, "My conscience won't allow me; what about religious belief?" To be honest, with the greatest of respect, they are mixing up their religious belief and their job as politicians. We can have a debate about that; I heard different people speaking. All parties in this Assembly that vote yes to this motion support freedom of religion; Claire Hanna said it. The Catholic Church does not support divorce, but it supports civil marriage. Let us be honest about this. As legislators, we are not here to legislate according to our consciences; we are here to legislate on the basis of equality. Nobody is saying that the Churches must practise equal marriage. That is a matter for the Churches now and in the future. Let us also be clear that there are many people who have religious beliefs who believe in equality and equal marriage. Let us not pretend that this is between Christians and non-Christians or people who practise various religions.

**Mr Givan:** I thank the Member for giving way. If legislation was brought forward from the Executive in terms of people's religious beliefs, there are those in the LGBT community who would articulate that they have a faith. Should they be able to have a religious marriage or should they be restricted to civil marriage?

**Ms Ruane:** What we are calling for today is marriage equality in civil marriage. That debate is one for people in the various Churches. Let us not be diverted; let us not have a red-herring debate. That is a debate for the Churches. Every party in the Assembly that votes yes is absolutely clear that yes voters support freedom of religion

by allowing religious institutions to define, observe and practise marriage according to their beliefs.

### 1.30 pm

The other arguments that we have heard are the family values arguments. My message to those people is: do not insult families. Families come in all shapes and sizes. We have one-parent and two-parent families. We have gay and straight families. We have extended families. We have children who are fostered and adopted. We have families who have come from countries throughout the world. Yes, I am a huge believer in family values, but it depends on how you define "family". I was reared in a good family, and I am lucky to have a wonderful family myself, with children and a grandchild. The glue that holds my family together is the traditional family value of love, commitment and deep respect. Do people from the LGBT community not deserve love, commitment and respect? Why would I, who can get married, try to say to someone in another community that they cannot but I can?

See the argument about children? I do not buy that, folks, and I will tell you why. Many of our children might be gay or lesbian or bisexual or transgendered. Are we going to say to our children that they are less equal than straight young people? I am not going to say that. That is not good family values. Equality, love, respect and commitment, for me, are important family values.

I am calling on everyone here today to vote yes. Let us get a majority and let us make a bit of history. For those who feel that they cannot vote yes, please abstain. Please abstain and play your part.

**Mr Speaker:** Before I put the question, I remind Members that the vote on the motion will be on a cross-community basis.

*Question put.*

*The Assembly divided:*

Ayes 53; Noes 52.

## AYES

### Nationalist

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Ms Hanna, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

### Unionist

*Mr Allen, Mr McCallister, Mr B McCrea, Ms Sugden.*

### Other

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Ayes: Mrs McKevitt and Ms Ruane.*

## NOES

### Unionist

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, 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 Lyons, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Somerville, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

### Other

*Mr McCarthy.*

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

<i>Total Votes</i>	<i>105</i>	<i>Total Ayes</i>	<i>53</i>	<i>[50.5%]</i>
<i>Nationalist Votes</i>	<i>41</i>	<i>Nationalist Ayes</i>	<i>41</i>	<i>[100.0%]</i>
<i>Unionist Votes</i>	<i>55</i>	<i>Unionist Ayes</i>	<i>4</i>	<i>[7.3%]</i>
<i>Other Votes</i>	<i>9</i>	<i>Other Ayes</i>	<i>8</i>	<i>[88.9%]</i>

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr Nesbitt.*

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

**Mr Speaker:** Order, please. If Members are leaving the Chamber, I ask them to do so quietly.



## Mental Health

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. *[Interruption.]* Order. One amendment has been selected and is published on the Marshalled List. The proposer of the amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr B McCrea:** On a point of order, Mr Speaker. Apologies, but I tried to catch your eye before we started this debate. Standing Order 17(4) states:

*“The Business Committee shall consult with the Speaker in order to establish the total time to be allocated to each debate”.*

Given that the business is scheduled to finish today by 4.40 pm, I wonder whether you can set out at some time — you may not be in a position to do it now — the relationship between the Speaker and the Business Committee in establishing the total time for debate available. I was disappointed not to be able to speak in the previous debate, as I know was Mr Agnew from the Green Party.

**Mr Speaker:** I understand the point of order and speak from a position of some sympathy for individuals in that corner of the Chamber. The Business Committee makes allowance for the proposers and seconders of motions and for winding-up speeches. It also makes provision for the Minister to speak.

In the previous debate, we had a high level of intervention. My last count was eight interventions, which took a further eight minutes out of the time allocated. I did alert Members to the fact that it was challenging to include all who put down their name to speak. In the event, two Members, one of whom got two interventions, were not called to make their full contributions. The Minister did not take all the time that was allocated to her, but she was perfectly entitled to do so.

I hope that that responds to the Member’s substantive point. In working with the Business Committee, we have to try to accommodate all possible combinations of circumstances. Sometimes interventions, which are perfectly valid and which enliven and enrich our debate, eat into the time allocated for fuller participation.

I would like to move on. Have you finished?

**Mr B McCrea:** Further to that point of order, Mr Speaker, I am, of course, absolutely happy with the way in which you conducted the debate. There are two key points to make, however, if I can put them to you to consider and come back to me on.

One concerns the relationship, because Standing Order 17(4) states:

*“The Business Committee shall consult with the Speaker”.*

I have no input to the Business Committee but I do have input to you. You said you were sympathetic, so I wonder whether you might use your good offices to say that there are debates in which it is known that people will want to

speak. You can deal with that, Mr Speaker, in your own good time.

I would like you to consider a second point and respond in writing, or whatever is the right form. Standing Order 17(5) says that the Speaker shall have:

*“regard to the balance of opinion ... the party strengths ... and the number of members who ... desire to speak.”*

There was a cross-community vote on the last motion. There are parties that did not get to speak at all. Mr Speaker, perhaps you would look at this to see if there is some way, whatever the time constraints you put on it, that every party in the Assembly gets the chance to speak at least once. I will leave it to you, Mr Speaker, to consider the best way forward.

**Mr Speaker:** OK. That is where we will leave the matter for now. I chair the Business Committee, so I do consult on and discuss each and every decision. In the course of any term, there will be changes. Indeed, there have been changes to the composition of the numbers of Members attached to particular parties. All of those are variables that affect our ability to anticipate every circumstance, but I will reflect on the point that you made. I doubt very much that we have much room to accommodate every Member and the membership of every group on the basis of a guarantee, but we will do our best as we always do.

Fearghal, I am now down to nine minutes. If you like, I am prepared to put this matter off until after Question Time, or perhaps you can manage it in nine minutes.

**Mr McKinney:** Perhaps I will try nine minutes.

**Mr Speaker:** OK, that will be good. That will be interesting.

**Mr McKinney:** Thank you, Mr Speaker.

**Mr Nesbitt:** Will the Member give way? Only joking. *[Laughter.]*

**Mr McKinney:** If I do not manage, my colleagues can bring any other necessary points to the table.

I beg to move

*That this Assembly recognises that mental ill health affects one in four people every year; further recognises the importance of having quality services that are fairly resourced, trained staff to afford early access and support, and a focus on prevention, resilience and mental well-being; recognises the importance of rehabilitation, with clear objectives established for accessing mental health professionals, within 28 days and close to home; further recognises the importance of raising awareness, reducing stigma and discrimination in relation to mental ill health; and calls for the Executive to work in collaboration to make dealing with mental ill health a top Programme for Government priority.*

At the outset, I welcome the Health Minister back into his post after a period of great uncertainty. I hope that, in the context of today’s debate, the Minister can clarify the importance of him being in post to make strategic decisions on the future delivery of mental health services here.

As SDLP health spokesperson, I welcome the opportunity to bring the very important issue of mental health to the Chamber. As many of you know, the prevalence of mental

health problems has historically been and continues to be a major concern for us all. In that regard, I note the amendment, which the SDLP is happy to support. In our view, it neither adds substantially nor takes away anything from the original motion. However, it does give the proposers extra time to speak, which I hope will be used to further elaborate on these urgent plans and to express the genuine concerns of the many people impacted on by mental ill health across Northern Ireland, and the many others, such as health staff, carers and families, who share the concerns reflected here today. Therefore, the amendment cannot be a gesture. I welcome the intention to establish a mental health trauma network, but I have severe doubts that it will be followed by the robust and strategic action plan that is so desperately needed.

It is widely recognised that the North has higher levels of mental ill health than any other region of these islands. It is estimated that one in four adults will suffer from a mental health problem at some stage of their life. Long-term social and economic deprivation and the Troubles have had a massive impact on the health and well-being of our population. A project carried out by the Commission for Victims and Survivors and the Ulster University indicated that 213,000 people here suffer from some sort of mental illness and that almost half of these illnesses are directly related to the Troubles. It is a startling figure.

Tribute must be paid to the many staff in our hospitals and community who continue to play an important role in delivering high-quality care. Much great work has also been undertaken by various organisations. I applaud the action that they have taken and the campaigns that they have been involved in. An example is the Change Your Mind campaign by the Association for Mental Health (NIAMH) and the Public Health Agency, which is aimed at reducing levels of stigma, discrimination and negative attitudes towards people with mental ill health.

However, severe challenges still exist and are of great concern. We have recently seen damaging headlines around the care provided to suicide and self-harm patients in our emergency departments and the inadequacy of children's mental health services. In this context, it is important to look again at some of the recent policy developments on the provision of mental health services here in the past eight years. One of the seminal reports dictating the nature of mental health services was the Bamford review of 2007. It made a number of key recommendations including the development of a comprehensive range of mental health services that would support people in the community, supplemented by the 2011 Transforming Your Care plan to bolster mental health treatment at home.

Again, in 2011, despite mental health ultimately taking a minor role, the Programme for Government set key milestones to strengthen the drive on improving health and well-being and in tackling disadvantage.

In theory, therefore, those developments should have resulted in massive strides forward in affording mental health provision the recognition and parity of esteem that it truly deserves, but — and you could hear the “but” coming — unfortunately, the progression has been tainted by lack of implementation and systemic failure to fund and measure.

The key challenges that the Executive have faced in the delivery of mental healthcare have been the role of Transforming Your Care, budgetary cuts and the cumulative effect that they have had on the Bamford action plan. In 2009, when the first action plan was embarked on, the total amount of additional funding that the Department anticipated was £44 million. However, due to the CSR, £29.5 million was spent. To delve even deeper, let us look at trust spend. Between 2008 and 2014, trusts spent something in the order of 25% less on mental healthcare. Those cuts have dramatically affected the Bamford action plan's ability to improve mental health services here. I have serious concerns about the future ability to carry out each initiative set out. There are very genuine concerns that, if more cuts are forced on the mental health budget, it could not be done without severely hampering existing services.

At this stage, we are well aware of the current status of the Transforming Your Care plan. If we look closely at it, we do not see any concrete evidence that the plans concerning mental health have been implemented to an appropriate degree. Most concerning is proposal 62, which stated the intention to close long-stay institutions and complete resettlement by 2015. As part of that, £11 million has been spent on the resettlement; that was basically closing Muckamore and Holywell and relocating patients. A recent report conducted by Queen's University and Action Mental Health lays bare the current status of community mental health provision across the North. In particular, the report expresses concerns about the range of inadequacies in community care services. One user stated:

*“Long waiting lists ... poor levels of communication between professionals ... lack of facilities, and long term support”.*

Health professionals stated:

*“Community mental health teams are stretched to the limit, too little staff and too many demands. Not enough voluntary resources are available”.*

Those are damning in themselves. They lead to very serious questions that must be asked as a result, of not just the Minister but of successive DUP Ministers. The current situation can be attributable only to systemic political failure to properly implement and fund a strategy to deal with the current and future demand for services.

There are other areas of concern. The issue of rural mental health has to figure. It is a major problem. The rehabilitation of patients has proven that to be the case. Asking people to travel big distances for treatment cannot be acceptable. Added to that is the fact that many farmers — and we have seen it in the headlines recently — are under extreme financial pressure, with livelihoods at risk. There is the attendant suicidal risk as well. It is important to mention the impact that suicides are having on families here. In the past 10 years, we have seen them increase by a staggering 84% despite the Protect Life strategy being introduced back in 2006. I understand that the Department is consulting on a new mental health and suicide prevention strategy, but it is paramount that vulnerable groups such as those in rural communities, young men, the LGBT community and those from areas of multiple social deprivation are targeted and given the appropriate level of support and service provision that they need.

There is now a massive risk that the current direction of travel in policy and in budgetary cuts will severely hamper services. In all of this, it is important to remember that a strategic approach and properly investing in mental health provision, especially earlier intervention and preventative services, is paramount in not only dramatically improving the quality of life for an individual and families but in reducing the economic costs associated with mental ill health. In that context, today's motion argues that the next Executive need to take mental health seriously and they need to set out an ambitious agenda; not a tokenistic one, as seen in the current Programme for Government. It should be a genuine, cross-governmental, mental health and well-being strategy that embraces issues such as employment, welfare, policing, criminal justice, housing and education, and the Public Health Agency should lead the way in championing preventive action and early intervention.

**2.00 pm**

I have met the deadline, Mr Speaker. I am thankful that there were no interventions, and I look forward to the rest of the debate.

*The debate stood suspended.*

## Assembly Business

### Standing Order 20(1): Suspension

*The following motion stood in the Order Paper:*

*That Standing Order 20(1) be suspended for 2 November 2015. — [Mr Swann.]*

*Motion not moved.*

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

# Oral Answers to Questions

## Social Development

### Disabled Facilities Grants

1. **Mr Dallat** asked the Minister for Social Development for an update on the number of applications for disabled facilities grants. (AQO 8954/11-16)

**Mr Storey (The Minister for Social Development):** The Housing Executive administers the disabled facilities grant, which has a significant impact on the lives of those who live with a disability in private sector housing, helping them to make adaptations to their homes.

In 2014-15, the Housing Executive approved over 1,200 disabled facilities grants and expended over £12 million in grant assistance. This year to date, 537 applications have been received, and almost 500 disabled facilities grant applications have been approved. Those grant applications address issues such as access to premises, downstairs bathrooms and wet rooms and downstairs bedrooms.

**Mr Dallat:** I have listened very carefully to the Minister, and I congratulate the Housing Executive on the work that it has done. Does the Minister agree, however, that very often time is not on the side of the people who need the disability facilities grants, many of whom may be bed-blocking in hospitals? How does the Minister propose to clear the waiting list so that those people are not in long queues that they cannot afford to be in?

**Mr Storey:** I thank the Member for his supplementary question. Obviously, this is an issue not only of the budget allocated but of the process that is used. I am well aware of the issue, not only as a Minister with responsibility, which is important, but as an MLA. Like yourself, I am well aware of constituents who are affected because the process can be somewhat protracted, particularly if you are dependent on a report from occupational therapy and are waiting for all of the particular elements to be in a row.

I assure the Member that under reviews, as you are well aware, Departments review the practice and the process. That is an element that I am more than happy to give further consideration to. We are often criticised in this House for what we have not done, but for those who I referred to in my substantive reply, we have approved over 1,200 disabled facilities grants and expended well over £12 million in grant assistance. That has made an invaluable contribution to the well-being, livelihood and day-to-day experience of those people who suffer with a disability.

I will certainly give further consideration to the comments of the Member, particularly with our colleagues in occupational therapy and the other component parts that make up the decision-making process.

**Mr Swann:** I thank the Minister for his answer.

Following on from Mr Dallat's supplementary question, when a family with a newborn child with disabilities needs a new home — due, maybe, to needing an additional bedroom to supply a wet room or changing facilities, or to keep medical equipment in — has the Minister any way

in which that process can be worked with the Northern Ireland Housing Executive, so that there is a parallel process of allocating a new house and processing the disability grant?

**Mr Storey:** I thank the Member for his supplementary question. Obviously, there is sometimes an element of this where, unfortunately, we have to look beyond the confines of the Housing Executive to provision by a housing association. I can think of one particular case at the moment which has been protracted for far too long and which, as Minister, I have tried to expedite. A very large family, with children who have particular disabilities, has been unable to get appropriate housing. A number of locations have been looked at, but that case has gone on too long and I had a meeting just last week with the chief executive of a housing association in relation to it. It sometimes ends up going to housing associations, as much as to the Housing Executive.

It is just as I said to Mr Dallat: none of us know what will face us in the weeks and months ahead or what difficulties we may face as families. At the moment, I have a particular personal issue in relation to my father, who has just come out of hospital after a protracted length of time there. Additional resources are needed, and we will have to look at how his needs are going to be met. How much more is that the case when there are children with disabilities. That is an issue, and I am quite happy to include the issue of children with disabilities and how they are provided for in a new build situation, in the consideration that we give to how we make progress on this issue.

**Mr Principal Deputy Speaker:** Before I call Mrs Dolores Kelly, I inform the House that question 5 has been withdrawn.

### Social Housing: Regulatory Framework

2. **Mrs D Kelly** asked the Minister for Social Development whether he will publish the findings of the consultation on the proposal for a new regulatory framework for social housing. (AQO 8955/11-16)

**Mr Storey:** The response to the public consultation on a new regulatory framework for social housing was published on the Department for Social Development's website on 30 September 2015. It is planned to issue the final framework document early in the new year. Implementation will commence during 2016-17.

**Mrs D Kelly:** I thank the Minister for his response. Can he give us some indicators as to how he will take forward the implementation? What are the key emerging trends that he wants to act on?

**Mr Storey:** I will set this in context. The Department regulates the work of all social housing providers in Northern Ireland, and uses a regulatory framework to do so. In the light of the changes in the housing sector in the last few years, and the reviews of regulatory frameworks in other jurisdictions, it was decided to look again at this framework. The consultation document outlined proposals for a new regulatory framework, and the regulations will be carried out against three standards: the consumer, governance and finance. Obviously, that will bring us into the area of looking at risk-based processes. An element of flexibility will be built in to accommodate variations in organisations, such as size, development plans,

previous history and business complexity. That gives us an indication of the breadth of what we are seeking to achieve, although I have to say — I know that the Member takes a particular interest in this issue — it is a challenging process that we set ourselves, because of the vastness of the sector and the particular challenges that we face.

**Mr McQuillan:** I thank the Minister for his answers so far. How did the Department decide what to include in this framework?

**Mr Storey:** The Department looked at best practice. Sometimes, that is good. It is maybe not always good to look at practice in other jurisdictions, because there is an underlying assumption that everybody else gets it right somewhere else, but that might not always be the case. When it comes to look at best practice, Northern Ireland leads the way in many of these things and in the way that we approach issues. We looked at best practice in other jurisdictions and compared those with our current controls in Northern Ireland. Many representatives from the housing association movement were also involved, and there were workshops under the social housing reform programme before the consultation was published. That contribution was key in the development of the new framework. As we move forward, we have tried to incorporate the issues that were raised.

## Urban Villages

3. **Mr F McCann** asked the Minister for Social Development to outline the measures his Department will take to support the urban villages initiative. (AQO 8956/11-16)

**Mr Storey:** As the Member will appreciate, the urban villages initiative is being led by the Office of the First Minister and deputy First Minister. DSD has been supporting the urban villages initiative through submitting, in early May, a bid for funding at the June monitoring round for a number of projects in Belfast and Londonderry totalling £2.1 million. The projects were identified along with estimated costs by the Strategic Investment Board (SIB). My Department is also supporting the urban villages initiative by assisting the Office of the First Minister and deputy First Minister and the Strategic Investment Board when possible in the delivery of a number of those projects within the current financial year, and that work is ongoing.

**Mr F McCann:** I thank the Minister for his answer. Many areas throughout the North are eagerly awaiting urban villages. Will you outline whether some are closer to taking off than others? Has any time frame been set that will give people confidence that they will take place?

**Mr Storey:** The process has been fraught with challenges. In some communities, it has been a challenge to try to get an understanding of what needs to be achieved with the urban villages concept. Under the OFMDFM urban villages initiative, there could be opportunities to bid for funding through future government monitoring rounds, and we are looking at that to see how to progress it. I want progress to be made on the ones that we originally identified. If we do that, we will be more successful in how we use this as a means in the future.

Through the June monitoring round, £500,000 was allocated to Londonderry, £400,000 was allocated to EastSide, and £1.2 million was allocated to the Colin town

centre urban village to complete a number of projects. My Department will continue to progress the work within its control to maximise the spend in this financial year.

**Mr McCausland:** Will the Minister describe the projects that are being taken forward in urban village areas across the Province?

**Mr Storey:** I thank the Member for his supplementary question. As I said in answer to the original question, DSD staff are working in partnership with OFMDFM and the Strategic Investment Board on a number of schemes that are at various stages of design and procurement. In the Newtownards Road area, seven schemes are ongoing, including pocket parks, artworks, domestic frontages and other public realm and environmental improvements. In the Colin area, there is a plan for a large-scale play park, with an overall cost, as I said, of £1.2 million. In Ballysillan — I have no doubt that the Member will be interested in that location — Ardoyne, Sandy Row, Donegall Pass and the Markets urban village areas, engagement with the local communities is being taken forward by the SIB to identify potential project proposals. Six projects are being taken forward in the Bogside and Fountain urban village area in 2015-16, including two public realm schemes, shop frontage improvements, a play park, the renovation of a community centre and traffic safety initiatives. In addition, a number of longer-term proposals are being developed.

I trust that that gives the Member and other Members some sense of the diversity of what can be included and delivered under the concept of urban villages. Those who have engaged in those areas have found it to be challenging but rewarding when they see progress and an outcome that enhances their community.

## 2.15 pm

**Mr Cree:** The Minister mentioned the costs of the initiative. Does he agree that the lack of clarity on how much funding would be available has led to a very low uptake of projects outside the two cities, as he demonstrated quite clearly?

**Mr Storey:** I thank the Member for his supplementary question. It would be nice to have additional resource for many projects. There is always a sense when delivering, and even when planning for, projects such as this that there is not enough money in the fund. I am very conscious of the perception that this can become a very city-based initiative and that areas outside the confines of Belfast and Londonderry do not benefit. That is something that we need to take cognisance of. I, like other Ministers, am constrained by my budget. We have had that debate in the House on numerous occasions, but I do not think that any Minister is ever satisfied with the total amount that they receive. If additional funding was made available, serious consideration would be given to addressing the point that the Member raised.

**Mr Lyttle:** I thank the Minister for the Urban Villages support for a cross-community youth project in inner east Belfast that led to the reinstallation of the Teenage Dreams public artwork, a good example of the project in action. Given that Urban Villages is a headline project of the Northern Ireland good relations strategy, Together: Building a United Community, what key good relations outcomes will it achieve for our community?

**Mr Storey:** I think that the Member has almost answered his own question. If we can make engagement and



involvement possible for a community that is disengaged and feels that it does not have the infrastructure, or the environment, even to build relationships in its own area, let alone the strength and capacity to go beyond it, that is to be welcomed. During my time in office, I have visited a variety of projects that are making an invaluable contribution, first and foremost to their local area. We need to instil in our communities a sense of pride; it is sad that in some areas of Northern Ireland a sense of pride in your local community is not the priority that it should be. However, initiatives such as Urban Villages — it does not have all the answers — bring progress in the form of tangible outcomes. It enhances opportunities for communities to move forward and to have confidence that their area is a place where they want to live and bring up their children and where others can interact with them in a very positive way.

### Northside Project

4. **Mr G Kelly** asked the Minister for Social Development for an update on his Department's involvement in the Northside project for the regeneration of Belfast city centre. (AQO 8957/11-16)

**Mr Storey:** I thank the Member for the question. The Department's preferred developer for the proposed Northside regeneration scheme, Northside Regeneration Limited, submitted an outline planning application for a comprehensive mixed-use scheme, comprising 10 sites, at the end of June 2015. Applications for the approval of reserved matters for the individual sites are to be submitted in due course. A full planning application has already been submitted in relation to site 3.

Once the applications have been determined, and after consultation with Belfast City Council, the Department will need to be satisfied that there are sufficient financial resources behind the developer to ensure the completion of the scheme and that the regeneration benefits of the development merit the adoption of a statutory development scheme.

**Mr G Kelly:** Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for his answers. He will be aware that this is a substantial scheme. Does he plan to meet some of the many traders and residents who will be affected? They want the regeneration of the area, but they have considerable concerns.

**Mr Storey:** I trust that the Member knows, because I know that other Members are aware, that I endeavour to meet whomever wants to have a conversation when particular issues and concerns are raised with us. I have a concern, and it is that the focus needs to be clearly on the huge benefits of investment to that particular part of the city.

The Member will be aware that I have had discussions with Executive colleagues, because, based on the plans for that particular part of the city, it is estimated that there will be somewhere in the region of £1 billion of investment. I want, as do my Executive colleagues and Members for the area, to see a concerted, planned and coordinated approach, not just to what is happening with Northside but to what is being planned by other elements of the Executive. Whether that is through DRD or through the work on the relocation of the university and other projects, we want to make sure that we maximise investment to the benefit of the people in the area and of organisations.

I cannot recall whether I have met traders specifically, but, if there are particular traders whom I have not met and who have issues, I am more than happy to meet them and listen to any concerns that they want to raise.

**Ms P Bradley:** In his answer to Mr Kelly, the Minister mentioned consultation with Belfast City Council. Does he know what its position on the Northside development is at this stage?

**Mr Storey:** The issue of Belfast City Council's involvement is an important one, and, for a number of reasons, I thank the Member for raising it. First, Belfast City Council officers have worked with my Department on the issue from the outset, beginning with the selection of Northside Regeneration Limited. Officials have suggested to council officers that a view of the process from elected members would be helpful at this stage, and that request is currently being considered.

I have said on a number of occasions that the scheme cannot be something that is imposed by my Department. It has to be done in consultation with the council, the local community and public representatives, because we all have a vested interest in ensuring that we get the best outcome. I have given that assurance repeatedly in the House, but I sound a warning. It is not a warning with a threat, and I am not trying to undermine the process in any way, but we need to make decisions about where this is going. I am concerned that those who would be behind this project financially may feel that the processes are taking too long and are too protracted, and, as such, they may decide to place their investment in somewhere other than this great city.

**Mr A Maginness:** I thank the Minister for his detailed answers. Clearly, everyone, including local residents and business folk, is supportive of him trying to get investment into the area, but the problem is this: as far as the businesspeople are concerned, the plan as it exists does not attract investment into the area. In fact, they believe that it is doing the opposite and is deterring investment. There must therefore be a speedy outcome to all of this so that there can be a clear idea of what will happen in the area in the near future.

**Mr Storey:** I thank the Member for his supplementary comment, which I will take on board. It follows on from the comment made by another Member for North Belfast. The business community and, in particular, the local community will have to live with the consequences of all that is going on, because, let us remember that there is a considerable amount of activity already going on.

One point that I have made is that, using Northside and the various statutory instruments that are at our disposal, we will either have a controlled process or an uncontrolled situation in which, as I said in the substantive reply that I gave, we have a number of applications that are already approved.

We know the concerns and I have listened to those that people have expressed about student accommodation and all of that, but we need an overarching process and some degree of control; not control for the sake of it to satisfy the bureaucracy of the Civil Service but that manages the process and gives us an outcome in the best possible interests of traders, residents and the people of that particular part of Belfast.

## Social Housing: Upper Bann

6. **Mr Moutray** asked the Minister for Social Development how his Department is addressing the need for social housing in Upper Bann. (AQO 8959/11-16)

**Mr Storey:** I thank the Member for his question. In order to help address identified housing need in Upper Bann, there are currently 50 new housing units under construction in the Lurgan and Portadown area, which will be completed during this financial year. A further 52 units are programmed to start on site this year, with an additional 80 units programmed to start in 2016-17. The remaining housing need is expected to be addressed either through the reletting of existing stock or the refurbishment of void properties in the area.

**Mr Moutray:** I thank the Minister for his response. What sites in Upper Bann are currently under construction?

**Mr Storey:** I thank the Member for his supplementary question. Before I give the detail, I would like to say that I have come to the House on many occasions, given the responsibility that I have for housing, and I would love to be in a position where we were doing more in Northern Ireland. One thing that has become an interest and a passion for me is that we could really do something with housing in Northern Ireland. Look at the specifics in relation to the area that the Member represents. There are 38 social housing units currently under construction in the Lurgan area, with 12 in the Portadown area. For those who will be the beneficiaries of those particular units, that is welcome, but there is a huge issue of demand and other areas where we would like to do more. I trust that, in the days and weeks ahead, we can really focus on moving the debate on to a housing agenda that gives good quality homes to the people of Northern Ireland, as, I have no doubt, those that have already been developed in Upper Bann are and those that are currently on site will.

**Mrs D Kelly:** I am sure that the Minister will acknowledge that the number of houses being built is just the tip of the iceberg of those that are required. Minister, you will be familiar with Mount Zion and the demand in the north Lurgan area in particular for units for older people. Will you agree to meet a delegation from Mount Zion on an exciting proposal they have to transform the current arrangement they have with Choice Housing from young person's dwellings to those for older people?

**Mr Storey:** Yes, I have already met representatives from Mount Zion, which was facilitated through my colleague Mr Moutray, but I have no difficulty in meeting a further delegation. The Northern Ireland Housing Executive has not approved a proposed Supporting People scheme at Mount Zion, as you know. The Department has engaged with Shankill (Lurgan) Community Projects and Choice Housing Ireland Ltd to consider alternative housing options at Mount Zion. I am encouraged that, in recent correspondence that I have received from them, they have taken what can only be seen as a very proactive approach. Let me place on record our appreciation — I know that Members from the Upper Bann constituency will endorse this — of the work that is carried out by Mount Zion.

There is a question that I have repeatedly asked through this process and in others. If they were not there delivering the service that they have delivered, the statutory system could not pick up that provision. I want to be of help. I

welcome the fact that they have had some interesting outcomes with Habitat for Humanity. That is good progress, but that should not be so that some other organisation provides for the need and we abdicate our responsibility. I am happy to have a further meeting in relation to the issue.

**Mr Principal Deputy Speaker:** I have an indication from two other Members that they wish to question the Minister. Before I call Mr Ian Milne, I remind the Member that the question is on need for social housing in Upper Bann, so it should be a specific question on the constituency of Upper Bann.

**Mr Milne:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí a thug sé go dtí seo. I thank the Minister for his answers thus far. The question is about Upper Bann. How many new social homes are required to be built in Upper Bann between now and 2020 to address the current housing need?

2.30 pm

**Mr Storey:** It always amazes me how Members can be so inventive and move from one constituency to another, but there you are. The Housing Executive has identified a total projected housing need for 228 units in Upper Bann over the period 2014 to 2019.

**Mr Principal Deputy Speaker:** I remind Mr Ross Hussey of the same point.

**Mr Hussey:** Thank you, Mr Principal Deputy Speaker. Will the Minister advise how many properties have been transferred from the ownership of the Northern Ireland Housing Executive to housing associations in Upper Bann?

**Mr Storey:** I do not have that information with me. I assure the Member that I will write to him to give it to him. I will also copy it to his colleague from Upper Bann who is absent.

**Mr Principal Deputy Speaker:** That brings us to the end of listed questions. We now move on to topical questions. I call Mr Roy Beggs.

**Mr Beggs:** The Minister —

**Mr Principal Deputy Speaker:** My apologies. I turned too many sheets at the one time. I call Mrs Dolores Kelly.

## Dingwell Flats: Demolition

T1. **Mrs D Kelly** asked the Minister for Social Development, given that he will be aware of the dreadful murder of Mr Seeley in the Dingwell Park area of Taghnevan and the clamour for those flats to be demolished, whether he and the Housing Executive would be sympathetic to that demand, given that that area has been a breeding ground for antisocial behaviour for many years. (AQT 3041/11-16)

**Mr Storey:** I thank the Member for her question. First, I pass on my condolences to the family of Marcell Seeley following his tragic death and murder in that place. It was extremely sad, and we know that someone has been arrested in relation to that issue.

I am also aware of residents' concerns, including those expressed by the Member, who raised the issue with me, about the antisocial behaviour in the Dingwell flats. I have been assured by the Housing Executive of its continued commitment to dealing robustly with the issues in the

estate. I also recently met Minister O'Dowd and the Deputy Mayor of Armagh City, Banbridge and Craigavon District Council, Catherine Seeley, to discuss these matters. I gave an undertaking, as I will give to the Member, to discuss these issues with the Housing Executive to see what more can be done.

Unfortunately, the issue in Dingwell flats is not uncommon. We have identified a particular issue, which is of concern to me as the Minister responsible for housing, and it is the placing of people in locations without any of the appropriate and necessary supports. We then see the consequences of what happens. I have heard particularly harrowing stories from the Member and from others about what it can be like for the neighbouring area, which is a settled community, and the difficulty that that creates.

I have had a brief discussion with the chief executive of the Housing Executive about the issue. I plan to have a further meeting with the Housing Executive, particularly in relation to that location.

**Mrs D Kelly:** I welcome the Minister's insight and acknowledgment that what happened in Dingwell Park was horrific, but was not an isolated incident as far as antisocial behaviour and vulnerable people being placed in settled communities is concerned. Are there any lessons to be learned from the recently conducted review into supporting people, or could any amendments be made to assist and direct resources to those types of situations in which people need a bit of extra help?

**Mr Storey:** The Member is right to identify that a key element of the way in which we address these issues — it is one element — is the review that we have carried out into supporting people.

When I came into ministerial office, I gave a public commitment, not only in word but in deed, that the Supporting People budget would be protected. Although it was a huge challenge to deliver on that, we did so. We have now had a review of Supporting People. I am continuing to look at that document to see how we have covered all the areas, and if there are lessons to be learned, which undoubtedly and regrettably there are, we will see how we can assure public representatives and communities that, when we talk about Supporting People, that is really what we do. I know the real value of Supporting People; I have seen it played out in practice to many families. However, there may be, as there always are in these situations, elements of it that could be delivered better. That was why we initiated the review. I have given the undertaking that the review was not about trying to fundamentally change the delivery of Supporting People; it was to enhance its delivery and make it more beneficial to the people that it is there to support.

## Public Realm Schemes: North Down

T2. **Mr Weir** asked the Minister for Social Development what he and his Department are doing to prepare for the arrival of the first groups Syrian refugees in Northern Ireland. (AQT 3042/11-16)

**Mr Storey:** I thank the Member for his question in relation to north Down. I am sure that he will be delighted to know that, over the past five years, there has been investment of almost £18.3 million in a number of major capital regeneration schemes in the north Down area, including public realm enhancement in Bangor, Holywood, Comber, Donaghadee and Newtownards. There have also been

almost £21 million-worth of schemes, in which Ards and North Down Borough Council has invested £10 million, which represents the largest commitment by any council to the public realm investment and improvement scheme.

The schemes will upgrade the commercial core of town centres to encourage greater public use and stimulate investment. I have witnessed at first hand the positive impact that such initiatives have had in restoring life to town centres and city centres. Works in each of the town centres will include the installation of new footpaths in natural stone paving, new street lighting and furniture, landscaping and associated works. The Holywood scheme was recently completed, and those in Comber and Donaghadee are due to complete within the next few weeks. I know that that will please my colleague from the constituency as well.

**Mr Weir:** Can the Minister firm up the information on the Bangor scheme? I welcome the completions that have taken place, but is the Bangor scheme due for completion, and is its timescale on track?

**Mr Storey:** It seems that all politics is local, even when it comes to constituencies, when it gets very parochial. I assure the Member that the Bangor and Newtownards schemes are on target to complete in the summer of 2016.

I will say something that can be easily provided in a response to a question for written answer: I ask you to look at the amount of money that was contributed by the local council. At somewhere in the region of almost £11 million, it is the largest contribution of any of our local councils. That is not only a commitment by central government but a commitment and focus of attention by local government. When you put those two together, you get a good outcome. I think that other councils should look at what has been achieved — I had better get it right — by Ards and North Down Borough Council. In this age of new councils, you have to make sure that your terminology is correct.

## Syrian Refugees: DSD Preparation

T3. **Lord Morrow** asked the Minister for Social Development what he and his Department are doing to prepare for the arrival of the first groups Syrian refugees in Northern Ireland. (AQT 3043/11-16)

**Mr Storey:** I thank the Member for his question. Regrettably, this issue is obviously very topical. We would prefer not to be in the situation that we are in. I will preface what I say by trying to bring the House and our community in Northern Ireland to a place of reality. We are dealing here with real people, real families and real issues. Yes, we can raise a myriad of particular issues, but I think that we need to preface what we say with the fact that we are dealing with real people here.

My Department is leading the operational planning group that is putting in place the arrangements to manage the arrival of Syrian refugees into Northern Ireland. The two main areas where the work of my Department will be affected by the arrival of Syrian refugees in Northern Ireland are the processing of benefits by the Social Security Agency and the provision of housing for those who come. Refugees who come to Northern Ireland under the Syrian vulnerable persons relocation scheme will be entitled to welfare benefits on the same basis as UK citizens. The Social Security Agency is committed to



providing whatever support it can for those being resettled here and is well advanced in the planning to ensure that those cases proceed as smoothly as possible.

My Department has also engaged with Her Majesty's Revenue and Customs to make arrangements for the processing of tax credits and child benefit, alongside the benefits administered by the Social Security Agency. The Department, along with the Housing Executive, has started work to identify locations that may be considered to be suitable when taking into account the availability of suitable housing and the capacity in key public services, such as education and health. Given the pressures on the social housing waiting lists, it is expected that the housing solution will mainly make use of the private rented sector.

**Mr Principal Deputy Speaker:** I remind the Minister of the two-minute rule.

**Lord Morrow:** I thank the Minister for that very comprehensive response. The Minister spoke about an operational planning group. I suspect that your Department is leading on that. Who else is involved in it?

**Mr Storey:** Mr Principal Deputy Speaker, I appreciate your warning. However, given the seriousness of the issue, it was important that I place it on record in the House, because this is the first opportunity when I have been able to do so during Question Time. Recently, in the local press, I have seen criticisms of the process from some local councils. I can give them an assurance, as I can the House, that we will continue to process the issue as speedily as we can. The Member asked about the operational planning group. It has a wide membership, including all public agencies that may be required to provide services to refugees; local government; and organisations in the voluntary sector who have expertise in this field. If you bring those groups together, it gives us the core of the operational planning group. That is where the focus is currently.

## Antisocial Behaviour Information Sharing

T4. **Mr Rogers** asked the Minister for Social Development, on the back of a serious incident in Newcastle at the weekend, what steps DSD is taking to ensure the full sharing of antisocial behaviour information between the PSNI and housing associations. (AQT 3044/11-16)

**Mr Storey:** I thank the Member for his question. Obviously, there is always a concern when particular incidents take place. Since November 2004, an information-sharing protocol with the PSNI has been in place, and it is being used successfully across a range of housing services. It includes the gathering of information and the development of cases where it is the intention of the executive to take legal action, the gathering of information and the development of cases where it is the intention of the executive to take legal action to secure injunctions or antisocial behaviour orders against an individual, and when considering an applicant's eligibility and entitlement to homelessness assistance or housing accommodation. The purpose of the protocol is to facilitate the sharing of data, where appropriate, between the Housing Executive and the PSNI in order to prevent crime. The protocol introduces and formalises service level delivery standards between the executive and the police, and the sharing of such information allows the agencies to work collaboratively and to consider the appropriate remedies to address antisocial behaviour.

**Mr Rogers:** I thank the Minister for that. Minister, there is a frustration among the good people who live in that estate that the protocols are not nearly as robust as they were when it was the Housing Executive and the PSNI. What lessons have been learned from the previous protocols? How can it be tightened?

**Mr Storey:** I thank the Member for his question. In the light of the issue and the particular incident that the Member raises, I will give him an assurance. Again, it goes back to the point I made earlier. It is relatively easy to read an answer to a specific question in this House, but sometimes it does not get to the bottom of the specifics.

In the light of the incident that the Member referred to, I will refer the issue to the Housing Executive, the PSNI and the housing association so that we can revisit the protocols. I will write to the Member.

2.45 pm

## St Patrick's Barracks, Ballymena

T5. **Mr D McIlveen** asked the Minister for Social Development for an update on the St Patrick's Barracks site in Ballymena. (AQT 3045/11-16)

**Mr Storey:** I thank the Member for his topical question. Following the proposal that I made to the First Minister and deputy First Minister for the development of the former military barracks for mixed public-sector use, it was agreed that the site should be acquired by my Department. A business case for the purchase of the site and its development, using a housing-led regeneration scheme, was approved. The site was subsequently bought by the Department for Social Development on 30 September, just a few days ago. My Department has appointed consultants to prepare a development plan setting out the potential areas on the site that could be used by public stakeholders. The development plan is expected to be completed by the end of the month if not sooner, and a programme of work to prepare the site for development is now being considered.

I have also given an assurance that I will take the local council into account. Indeed, it is my intention to meet the council because, as I said about the public realm works that we have undertaken in other jurisdictions and council areas, it is vital that we have buy-in from councils. I had preliminary discussions with the council this week. I look forward to developing one of the most prestigious sites in our constituency — I speak not only as Minister but, along with my colleague, as a representative of the North Antrim constituency — which has a huge history that we want to protect in an area that I have no doubt will make an invaluable contribution to the livelihood and well-being of our constituents.

## Agriculture and Rural Development

### River Pollution

1. **Lord Morrow** asked the Minister of Agriculture and Rural Development whether she plans to introduce a more joined-up approach with her Executive colleagues to address effectively the problem of river pollution. (AQO 8969/11-16)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):**

Go raibh maith agat, a Phríomh-LeasCheann Comhairle. River pollution can be caused by a range of sources including farms, sewage, industry and domestic. My remit covers farm source pollution, and my Department works with other Departments and agencies on a range of measures to prevent pollution and to improve water quality.

DARD and the DOE are jointly responsible for the implementation of the EU nitrates directive. The directive is implemented across the North by an action programme of measures that was first introduced in 2007. The purpose is to prevent water pollution from agricultural sources and to ensure that manures and chemical fertilisers are used efficiently. The current nitrates action programme for 2015-18 was agreed by the Executive in November 2014.

My Department also works in close partnership with the DOE, other Departments and stakeholders on the implementation of the water framework directive. This EU directive aims to deliver long-term sustainability for the water environment and covers all sectors that have an impact on water. Implementation is through river basin management plans, which have been agreed by the Executive.

My Department has also worked with a number of Departments on a long-term water strategy for the North of Ireland. The strategy is cross-cutting, and I expect it to come to the Executive for agreement in the coming months.

River pollution requires ongoing action. My Department has demonstrated that it is working in a joined-up way to address farm source pollution and to improve water quality.

**Lord Morrow:** It is obvious that no one area or sector of industry is the culprit here. The Minister said that her Department is doing things to ensure that the matter is tackled. Does she agree that it is time for new initiatives to ensure collective responsibility and for the matter to be tackled in a very direct way, which does not seem to be the case at present?

**Mrs O'Neill:** I agree that partnership working is key for all the sources from which pollution may occur. I have set out clearly my Department's responsibility. We have worked collectively and cooperatively with other Departments, particularly on the nitrates programme and the water framework directive. The Rivers Agency obviously works in a joined-up way with a range of Departments and councils. Where there is room to improve, I am always open to that. If the Member has any ideas that he wants to bring forward or has other initiatives that we are not actively involved with, I am very happy to take those suggestions on board. As I said, a range of activity is ongoing with Departments, councils and Rivers Agency staff. Collectively, we can continue to work together to make sure that we target people who are deliberately polluting water courses and causing all sorts of problems. However, as I said, we need to have a cross-departmental approach to the issue.

**Mr McMullan:** Go raibh maith agat. I thank the Minister for her answers. What action has been taken to assist farmers' compliance with the regulations?

**Mrs O'Neill:** A range of guidance documents to assist farmers to comply with the nitrates action programme and other EU environmental regulations has been produced by DARD and DOE and has been distributed to farmers.

The College of Agriculture, Food and Rural Enterprise (CAFRE) provides an ongoing programme of training workshops for farmers, including coverage of the nitrates action programme and farm waste. The workshops are open to all farmers. In addition, a series of online support tools are available to help farmers to comply with the requirements of the nitrates action plan regulations. These cover nitrogen loading, nutrient management and manure storage calculators.

DARD also provides a code of good agricultural practice for the prevention of water, air and soil pollution. The code gives practical guidance to farmers on pollution control and serves as a reference document for those involved in providing pollution control advice to farmers. The DARD farm advisory service newsletter is published biannually and is issued to all farmers. It includes key advisory messages relating to the nitrates action programme and the water framework directive. My Department also regularly issues advisory press articles on manure management and water quality.

**Mr McCarthy:** I welcome the Minister's response. River pollution, or any pollution of our environment, must never be tolerated. Will the Minister join with the Alliance Party, which has been calling for years for an independent environmental agency, so that that can be introduced and we can overcome these problems once and for all?

**Mrs O'Neill:** The Environment Agency comes under the remit of the Department of the Environment, and it is about to go out to consultation on that matter. There will be an opportunity for us all to consider the best way forward on the basis of the information provided as part of that consultation process.

## Rural Proofing Bill

**2. Ms McCorley** asked the Minister of Agriculture and Rural Development for an update on the rural proofing Bill. (AQO 8970/11-16)

**Mrs O'Neill:** I am pleased to advise that I propose to introduce the Rural Needs Bill, which was previously referred to as the Rural Proofing Bill, to the Assembly on 9 November 2015. The Bill is designed to promote a fair and inclusive rural society by introducing a duty on government and local councils to consider the needs of our rural dwellers when developing policies and delivering public services. I will be working hard to ensure that this new legislation can complete its passage in the current Assembly mandate.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagra. I thank the Minister for her answer. What powers and provisions will the Rural Needs Bill contain?

**Mrs O'Neill:** The Bill is aimed at ensuring the fair and equitable treatment of rural communities in the policymaking process. It will build on the existing arrangements, for example, through placing the Executive's existing commitment on a statutory footing and by improving the promotion and monitoring of rural proofing.

It is proposed that the Bill will contain the following provisions in line with the final policy proposals agreed by the Executive: the introduction of a statutory duty on Departments and councils to consider the needs of people living in rural areas when developing new policies,

strategies and plans or revising existing ones and when designing and delivering public services or making changes to the way in which they are delivered; the power to make regulations to extend the Bill to non-departmental public bodies as may be specified in such regulations; the power for DARD to support rural proofing and the implementation of the Bill through the provision of training, advice and guidance; a requirement for DARD to produce regular monitoring reports to be laid before the Assembly whereby DARD would seek and collate information from all Departments on how they have considered the social and economic needs of people who live in rural areas; and the provision for Departments and councils to make arrangements for cooperation and collaboration to help to ensure a more consistent and cohesive approach to addressing the needs of rural dwellers.

**Mrs Overend:** I thank the Minister for that update. What is her assessment of the legislative proposals from the Department of the Environment with regard to newly qualified young drivers and the restriction of carrying passengers and the assertion that the proposal did not need to be rural proofed? What is her position on that?

**Mrs O'Neill:** I am bringing the legislation forward because I believe that all proposals, strategies, policies and decisions taken at central and local government level need to be rural proofed. Like me, the Member represents a rural constituency, and we know the challenges that there are, particularly for young people who, perhaps, are employed and could be working until 11.00 pm and who are trying to get home with public transport not being readily available. There are particular challenges posed as a result of the DOE legislation that has been put on the table.

I am bringing forward legislation in order to protect against those decisions being taken in future without due consideration being given to the needs of rural people.

**Mr Rogers:** Minister, what discussions have you had with other members of the Executive to improve decision-making in other Departments on rural proofing? I am thinking particularly about residential homes. When I look at the consultation, I see little emphasis placed on the rural-proofing aspect.

**Mrs O'Neill:** Again, that is why we need to have legislation. Rural dwellers need to be confident that, when policy decisions are being taken by decision makers in government, their needs are being reflected. I am concerned that, although rural proofing has been in place for quite a number of years, it has not been consistent to date. It has not been applied across the board, and some Departments are better than others at making sure that it happens. I think that the legislation will strengthen that and, when I lay a report each year before the Assembly, it will clearly put that on record. We will be able to see at first hand how Departments have actively engaged and how they have actively rural-proofed policy decisions. I believe that that will lead to improvements in the longer term for rural dwellers.

## Rural Development Programme

3. **Mr Campbell** asked the Minister of Agriculture and Rural Development what steps will she take to ensure that Northern Ireland rural development programme 2014-2020 funding is equitably distributed between the Protestant and Catholic communities. (AQO 8971/11-16)

**Mrs O'Neill:** A full equality impact assessment (EQIA) of the rural development programme (RDP) 2014-2020 was carried out in 2013. That included a 16-week public consultation period. The equality assessment was finalised as part of the submission of the rural development programme and associated documents to the European Commission on 14 October 2014 and is available on the DARD website.

Our aim is to ensure equality of opportunity for all applicants to the RDP. The distribution of funds will depend on the number and quality of eligible applications and how best they fit the objectives of their respective schemes. For land-based schemes such as the areas of natural constraint (ANC) scheme, funding will depend on the nature and type of land. The EQIA set out a number of mitigating actions to ensure equality of opportunity for potential beneficiaries. Those were structured around each of the section 75 groups examined as part of the EQIA. An equality action plan has been drafted, and it has aligned the EQIA mitigating recommendations against key areas of programme implementation. The action plan will be updated biannually in advance of the programme monitoring committee on the actions taken for each process. That should help ensure that the mitigating actions recommended in the EQIA are considered during further programme development and implementation.

**Mr Campbell:** The Minister has outlined the EQIA process, but is she aware that, in the Causeway Coast and Glens Borough Council area, for example, where the local action group (LAG) delivers rural development programme funding, the councillor make-up is broadly reflective of the political and religious breakdown but the social partners are not, given that 80% of the social partners are from the nationalist community in an area that is probably 75% unionist? Will she ensure that consideration is given to community background when ascertaining in future the composition of local action groups, because delivery of funding flows from those groups?

**Mrs O'Neill:** I am sure that the Member will be aware of the LEADER approach, which is very much a bottom-up approach. The people who came forward for the LAGs on the ground came from the grassroots and the community. They are made up of people who came forward. Obviously, we want things to be reflective, but, for me, what is most important in the rural development programme is that we get that funding out and deliver projects for rural people as a whole. It does not matter what background you have.

I cannot comment specifically on the make-up of the LAG that you referred to, but I can say that I know that every effort was made to make sure that the groups were inclusive as possible and that we looked to groups that were under-represented. I am delighted that, this time around, we have more women and more young people. That was something that we did not have in the previous programme, so there has been very much a positive sea change in the membership of the groups. As I said, it is very much a grassroots-up approach. The people came from the community and were chosen for the local action groups, and I think that they are reflective of the people who came forward. Obviously, we want all our groups to be inclusive, and we want to make sure that the people who are making the decisions are reflective of the community. I think that that is the case with all the LAGs that have been appointed to date.

**Mr Dallat:** I pay tribute to the rural development programme for the work that has been done. Will the Minister agree that the needs and aspirations of the rural community are far greater than to be described in sectarian headcount terms? Will she outline how the business communities, Protestant and Catholic, if we have to use those terms, will benefit from the rural development programme between now and 2020?

3.00 pm

**Mrs O'Neill:** Yes, I very much concur with what the Member said. I think that what is most important is that we spend every single penny of this European funding to the best effect for rural communities as a whole. I look forward to being able to open a number of the schemes over the next number of months. This is the largest ever rural development programme that we have had in the North of Ireland. There is up to £623 million of funding, £250 million of which is for our farm business improvement scheme. We have the rural business investment scheme, which will be opened very shortly. We also have tourism measures and basic services for communities. There is such a range of fantastic schemes coming online over the next number of months. My priority is to work with the LAGs to make sure that they sign off on the strategies, which we hope to have completed by the end of the year so that we can very quickly see the spend. I absolutely agree with you. What is most important in this programme is that we get the spend out there and help rural communities in their entirety, regardless of what their background may be.

**Mr Dickson:** Minister, do you agree with me that the most important aspect of the programme is ensuring that those entitled to receive the funds do so and that there is not some form of sectarian headcount, as has been produced in the question? In fact, do you not find the question offensive and counter to any Building a United Community strategy of the Executive?

**Mrs O'Neill:** I do agree with you. As I said, I think that what is most important here is that we spend every single penny to best effect to enhance rural communities and businesses and to look after our environment and our farmers.

**Mr Allister:** Under the previous programme, it turns out that several million pounds were siphoned off to sporting bodies, most particularly and most generously to the GAA, with Tyrone GAA, said to be one of richest, getting almost £1 million. Given the crisis in front-line farming, what assurances are there this time that rural funding will actually go to meet those front-line and essential needs, rather than being squandered, as happened previously?

**Mrs O'Neill:** I think that the Member should be careful with his language. There was no siphoning off from any funds from the rural development programme. Anybody who received funding through the rural development programme did so because a panel assessed their application and decided that they were eligible. All funds were spent to the best effect for rural communities right across all the measures that I have already set out. A number of sporting organisations were also able to benefit from the programme, which is right and proper. The GAA, like any other organisation, is at the heart of a rural community. Why should it not be able to benefit if the project that it is providing is for wider community benefit? In the cases that have been assisted with finance,

the local action groups, which are made up of political representatives and community sector individuals who have come forward, have taken decisions and used to best effect the funding that they have been allocated. They have decided, within the rules of the programme, that those funding applications were eligible and have funded them accordingly.

### Animal Cruelty: Tougher Sentences

4. **Mr Clarke** asked the Minister of Agriculture and Rural Development to outline any representations she has made to introduce tougher sentences for people convicted of animal cruelty. (AQO 8972/11-16)

**Mrs O'Neill:** Following considerable public interest in the enforcement of the Welfare of Animals Act 2011, the Assembly agreed a private Members' motion in March 2014 that called for a review of the implementation of the 2011 Act, particularly sentencing guidelines and practices. The purpose of the review is to ensure that animal welfare enforcement is dealt with effectively.

The Department published an interim report of the review in February 2015, which recommended increasing the maximum sentence and fine on conviction for the more serious summary offences and increasing the maximum prison term in the case of indictable offences. That will mean that the penalties for animal welfare offences here are as tough as or tougher than any that are available in the Twenty-six Counties or in Britain. There was substantial support for the recommendation during the consultation on the interim report.

Primary legislation is needed to amend the 2011 Act to implement that recommendation. DARD does not have any suitable primary legislation available within this mandate. However, given the high level of public support for the recommendation, I wanted to implement it quickly. I therefore wrote to the Justice Minister in July to request that he consider amending the maximum sentences in the 2011 Act through the Justice (No. 2) Bill. The Bill deals with, among other things, fine collection and prison services. The Justice Minister is content to include the necessary provisions in the Justice (No. 2) Bill, and my officials are working with officials in his Department to progress the Bill. It is anticipated that the Bill will be scrutinised by the Agriculture and Rural Development Committee and the Justice Committee in November, and I trust that you will support the amendments to increase the sentences and fines in the Welfare of Animals Act when the Justice (No. 2) Bill comes before the Assembly.

**Mr Clarke:** I thank the Minister for her answer to my question. Indeed, I welcome her comments. I am sure that she will be all too familiar with the case in my constituency where a member of the public was given a very lenient sentence despite letting her dog hang to death on the ropes of her curtains. I think that the public have got behind this because of that case. In your response, you talked about that the fact that we are coming towards the end of the mandate. Is there a possibility that this can be expedited and brought in as quickly as possible? There is a fear among the community about other people who have treated animals in the appalling way that that lady in Antrim did.

**Mrs O'Neill:** Obviously, I condemn all acts of animal cruelty, and I think that that was very much reflected in comments we received in response to the public



consultation on the interim report. In terms of timescale, the Justice Minister is committed to taking his Justice (No. 2) Bill through the Assembly in this mandate, and my officials are working with him to make sure that the proposed changes to sentencing are included in that Bill.

**Ms Boyle:** Go raibh maith agat. I thank the Minister for her response to the Member's question. Can she further clarify, at this point, what the proposed changes to sentencing will entail?

**Mrs O'Neill:** The interim report of the review of the Welfare of Animals Act recommended that DARD consider increasing the maximum sentences as follows. It was recommended to increase the maximum prison sentence available for those found guilty of the more serious summary offences from six months to 12 months and for the maximum fine to go from £5,000 to £20,000. For indictable offences, the recommendation was to increase the maximum prison sentence for those found guilty on indictment from two years to five years. The maximum unlimited fine would remain unchanged. I propose to amend certain offences, including breaching a disqualification order, selling or parting with an animal pending the outcome of an appeal to a deprivation order and offences relating to images of animal fighting, so that they become a hybrid offence. In the case of unnecessary suffering and animal fighting, which are already hybrid offences, I propose to increase the current penalties on summary conviction to 12 months and/or a fine of £20,000. That will give effect to the recommendations from the review, as those represent the most serious offences under the 2011 Act, and it is appropriate that the penalties available to the Magistrates' Court reflect that.

**Mr Lyttle:** I welcome the announcement today. Does the Minister agree that this is at least one example of two Executive Ministers — her and the Minister of Justice — working together to respond to an issue of serious public concern in increasing the maximum sentence for serious offences to five years? What other provisions might the review of the Welfare of Animals Act bring forward?

**Mrs O'Neill:** I very much welcome the partnership approach that we have taken. The Justice Minister was in a position to bring forward a Bill that could encompass the changes that we wanted to make. It has worked out very well for us in being able to respond to the public concern and public angst that was there. We will respond to it in a very speedy manner.

In the wider review, we have consulted on the interim report, and the group that was set up to initiate the review is working its way through the final report. We hope to have that over the next number of months. There are practical things that we can be doing on an ongoing basis, and officials are working their way through that.

## Rural Development Programme: Capital Grants

5. **Mr Eastwood** asked the Minister of Agriculture and Rural Development to outline when farmers will be able to apply for capital schemes as part of the rural development programme 2014-2020. (AQO 8973/11-16)

**Mrs O'Neill:** The 2014-2020 rural development programme (RDP) will make a range of capital support measures available to farmers. Those include the business

investment scheme, the European innovation partnership operational groups and innovation demonstration scheme, which are all part of the farm business improvement scheme, as well as farm diversification support under the LEADER programme and capital support for agri-environment agreement holders. With the rural development programme now approved by the European Commission, my officials are continuing to work hard to secure the relevant business case approvals and to make the necessary arrangements to open the schemes in a phased way.

The farm business improvement scheme will be a cornerstone of the new RDP and will be a package of measures aimed at knowledge transfer, cooperation and innovation, as well as capital investment, which will help to support sustainable growth in the sector. The first phase of the farm business improvement scheme, which comprises the knowledge transfer schemes, will start with the launch of the business development groups for farmers. The first phase is intended to help farmers to clearly identify their needs ahead of any capital investment and to make informed decisions about developing their businesses. The other farm business improvement schemes will follow in a coordinated manner, including the proposed capital programme that is planned for next year. The knowledge transfer element of the farm business improvement scheme will open in November in preparation for the majority of capital schemes to open in 2016.

**Mr Eastwood:** I thank the Minister for her answer. Does her Department have a preliminary plan in place to deal with those moneys?

**Mrs O'Neill:** The main plan is that we will get the programmes opened as quickly as possible. The first programme that we will see opened will be the farm business improvement scheme and the development groups. That will open very shortly. That allows us to work with farmers on helping them identify their business plan and their practical needs. Alongside that, as I said, we expect all the capital programmes to come on stream next year, and those include the farm business improvement scheme, the rural business investment scheme and the spend with the local action groups. It is quite an exciting time for rural development in being able to get all those schemes opened. Officials have been working very hard to make sure that we do that as quickly as possible.

**Mr Milne:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as na freagraí a thug sí go dtí seo. I thank the Minister for her answers thus far. Has her Department engaged in any preparatory work with farmers, as the previous Member asked, in anticipation of opening other schemes or any schemes?

**Mrs O'Neill:** As I said, the plan is to roll out the farm business scheme in a phased way. The early focus is going to be on making advice and support available to farmers through the knowledge transfer measures. That first phase will open next Monday, with business development groups for farmers to come along to discuss with officials and get help to work through their business needs and discuss the opportunities for capital grants when they come online in the first quarter of next year.

I encourage all farmers to get involved with the business development groups because they will help farmers to improve their knowledge of business management and to

look at new technologies and innovative ways of working. DARD is also planning to deliver farm-family key skills training schemes, which will include safety and business planning. These early measures will help farmers to think carefully about their business plans before they make any decisions about capital investment.

The other farm business improvement schemes will follow in a coordinated manner, including the business investment scheme capital programme planned for next year. Any farmer considering making a capital investment may wish to start thinking now about what they might need to do in advance, such as considering the implications of planning and health and safety legislation.

Farmers who are considering construction work should be familiarising themselves with legislation that applies to farm businesses, including the Construction (Design and Management) Regulations 2007. They may also want to check the performance of their business through benchmarking. They can contact CAFRE, which will help them.

**Mrs Dobson:** Given the interest from farmers, I was concerned about the lack of detail forthcoming from officials who presented to the Agriculture Committee recently. There can be little doubt that the capital grants scheme will be of most interest to the sector. Can the Minister detail some specific points identified in this year's whole farm needs assessment?

**Mrs O'Neill:** Officials were in front of the Committee last week. There was a detailed engagement in terms of going forward. We have a high number of schemes that we are trying to develop and get business plans passed for. We have been working our way through that.

The farm business improvement scheme and capital grants scheme are what most farmers are looking to, as capital investment will help them to invest in being more efficient and productive. That will not come on stream until next year, which is why there is no scheme detail out there. However, that will be forthcoming in an appropriate and timely manner.

I am now encouraging farmers to get involved with the business development groups because we have set this out in a phased approach. First, it is a matter of working with farmers on a practical basis to identify their needs to develop business plans. Then it will be about knowledge transfer and exchange, working with CAFRE advisers. The third phase will be the capital grants scheme.

As information becomes available, we will certainly be providing it. We are not going to leave anyone in the dark. I want to make sure that farmers avail themselves of the scheme when it becomes available in the early part of next year.

The Department carried out the farm needs assessment to improve the design of the farm business improvement scheme. We received over 2,500 responses, so that was positive in terms of farmers wanting to be part of the process. That was important for us to be able to design the scheme.

There is no attempt to hold back information. Farmers will have it as soon as I have it to give them. As I said in answer to Ian Milne, the first phase — the business development scheme — will open next Monday. That is positive, and I encourage all farmers to get involved with that first tranche.

## Omagh Veterinary Laboratory

6. **Mr Byrne** asked the Minister of Agriculture and Rural Development, following the implementation of the Agri-Food and Biosciences Institute's strategic review, to outline the future of the Omagh veterinary laboratory. (AQO 8974/11-16)

**Mrs O'Neill:** There are no plans to close the Agri-Food and Biosciences Institute's (AFBI) Omagh site. However, a number of efficiency measures will be implemented.

AFBI's 2020 strategy proposed the centralisation of ancillary veterinary laboratory testing at its Stoney Road site, just outside the Stormont Estate. This proposal would enable a modest reduction in staffing requirements at AFBI's laboratory facilities in Omagh, while maintaining the existing range and geographic coverage of disease diagnostic services to the livestock industry.

AFBI proposes to move the preparation of microscopic slides of animal tissues to Stoney Road and return them to Omagh for examination and reporting. It will also centralise all parasitological examination work at Stoney Road. That will produce savings while continuing to provide laboratory services from the Omagh facility to livestock owners and vets.

As these are internal AFBI efficiency measures, I had no reason to raise any concerns. As such, I accepted AFBI's proposals for how it manages the services it delivers from the Omagh site.

### 3.15 pm

**Mr Byrne:** I thank the Minister for her answer. Does the Minister recognise that it is very important for the farming community in the counties of Derry, Tyrone and Fermanagh that we have post-mortems carried out on animals, be they cattle, sheep, pigs or hens? Does she recognise that it is important that enough investment is retained to make sure that we have a viable service going forward?

**Mrs O'Neill:** Yes. As I said, while AFBI will make some modest savings at the Omagh plant, I am glad that, as part of its decisions on the way forward, it has decided to continue to provide the laboratory services there, which will assist livestock owners and vets from all the areas that you have referred to.

**Mr McAleer:** Go raibh maith agat. Can the Minister outline her vision for the future of the AFBI estate?

**Mrs O'Neill:** Work is ongoing with AFBI to establish the future of the AFBI estate based on its strategic vision and scientific priorities. AFBI's 2020 strategy contains its costed proposals to address its budget pressures for the year ahead and the rest of the decade, including proposals that are relevant to the future consolidation and rationalisation of AFBI's estate. An initial outline business case for the capital investment required to relocate AFBI's headquarters facilities from Newforge and to consider the future of the Loughgall facilities has been prepared and is being refined further to incorporate feedback from DFP in the context of AFBI's 2020 strategy. A master plan for the farm buildings at the AFBI Hillsborough estate is being developed. It is envisaged that there will be a consolidation, replacement and modernisation programme.

Suffice to say that AFBI has taken a look at how it conducts its work. It has developed very much a shrink-to-grow strategy. We can work collectively with AFBI to make sure that we have a very strong scientific base going into the future that will assist and work with the industry to identify its needs, including research needs.

**Mr Principal Deputy Speaker:** Time is up. That brings us to the end of listed questions. We now move to topical questions.

### Supply Chain: Large Retailers

T1. **Mr Buchanan** asked the Minister of Agriculture and Rural Development what discussions she has had with the large retailers, given the unfairness that still exists within the supply chain, with farmers being squeezed. (AQT 3051/11-16)

**Mrs O'Neill:** I totally agree with you about the supply chain. There is a need for fairness in the supply chain. The Member will know that I have consistently raised that point. At the centre of the Going For Growth strategy from its inception has been the fact that there needs to be recognition of that one supply chain and that everybody along that supply chain needs to enjoy the risks and the benefits that come from that more joined-up approach. I hosted the first supply chain forum in the last number of weeks. That saw representatives from right across the industry, including the major retailers, discussing how we can start to build trust and repair relationships that have absolutely broken down and how we can collectively work together. I am going to continue to drive forward that piece of work, because I think that it is absolutely key. I regularly meet the major retailers and make the point that, if they want to have the fantastic, first-class product that our farmers produce into the future, they need to make sure that our farmers receive a fair price for the product that they receive.

**Mr Buchanan:** I welcome the actions that the Minister has been taking but, to date, we have not really seen much on the ground for the supplier at the farm gate. Can the Minister advise what comfort we can give to the farming community that action is being taken that will see their price at the farm gate reach a proper level that makes it sustainable for them?

**Mrs O'Neill:** The Member is very aware that pricing is something that is outside the control of government. However, within government, we can take forward the initiatives that we are actively involved with, which I have already set out. Farmers can be in no doubt about my role. My role is to champion the needs of the farmer, and that is what I bring to any conversation that I have with retailers. However, if we do not correct the supply chain problem, farmers are going to be the ones that are continually pushed on the price that they receive. That is why we need to have this sea change in attitudes right across the supply chain. If we can look afresh at how the supply chain works and how the ongoing communication works right across the supply chain, perhaps we will see changes for the farming industry further down the line. I certainly make sure that I raise that point. I am very passionate about raising that point. I believe that Going For Growth as a strategy is only successful if there is that fairness in the supply chain.

### River Lagan: Gravel Removal

T2. **Ms Hanna** asked the Minister of Agriculture and Rural Development to advise whether DARD and the Rivers Agency have restored the river bed at the Sir Thomas and Lady Dixon Park or reimbursed the Lagan Canal Trust, given that she will be aware of the removal last month of a lot of gravel from the bed of the River Lagan at that location in south Belfast and the impact that that has had on salmon spawning there and the risk of increased winter flooding. (AQT 3052/11-16)

**Mrs O'Neill:** I do not believe that the Rivers Agency needs to reimburse. I do not have all the details of that scenario, but I had a conversation with the Rivers Agency about it last week. There was very much a partnership approach. The council and others were involved in the project. The Rivers Agency did not feel that it was at fault, but I am happy to write to the Member with more details on the next steps. We do not want to interfere with the spawning of salmon and want to make sure that that process is ongoing.

**Ms Hanna:** On the back of that, the angling clubs are concerned that there is miscommunication between DARD, DCAL and them. Has the Minister any suggestions on what mechanisms might be put in place to address that communications imbalance?

**Mrs O'Neill:** Inland fisheries are DCAL's responsibility. However, in this instance, the Rivers Agency was involved in the work on the banks of the Lagan, so I am very open to a conversation with the CAL Minister if there is a need for that. We took action last week on the back of what happened. I was approached by local media, who raised the issue with me. We will not be found wanting in working together if that is what is needed to make sure that we correct the problem.

### Farming: Cross-border Collaborative Work

T3. **Mr McCartney** asked the Minister of Agriculture and Rural Development, while mindful of other questions that have been asked, particularly on issues that affect the farming community, to outline the extent of the collaborative work that takes place between and among farmers across the island of Ireland. (AQT 3053/11-16)

**Mrs O'Neill:** We work collectively on a range of areas. We deal with a lot of issues at North/South Ministerial Council (NSMC) meetings. Even outside those, we continually address a number of issues, particularly CAP, mapping exercises and areas of natural constraint (ANC) designation. We have been working together on the development of the all-island animal health and welfare strategy; the plant health strategy; the Loughs Agency; country-of-origin labelling; fish diseases; fisheries; research and development cooperation; the equine industry; pillar 2 knowledge transfer groups; the all-island rural innovation awards; the Forest Service; veterinary medicines; agricultural emissions; and multi-agency livestock crime liaison and legislation enforcement issues. A range of issues are taken forward on an ongoing and daily basis not only at official level but between Minister Coveney and me.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer, including

the comprehensive range of issues that have been of benefit to farming and rural communities. Will she take this opportunity to give us an update, particularly on labelling and how that has helped farmers across the island?

**Mrs O'Neill:** I am pretty concerned about labelling, and have been for some time. I continually raise the issue at European level and with Minister Coveney. When I last met him on 2 July, he indicated that he would also liaise with the commissioner regarding terms on labels that would be deemed acceptable, explore the use of an "island of Ireland" label and subsequently issue guidelines to the industry. I have since written to the Minister seeking an update on progress and additional voluntary labelling for meat packaging. I will keep the Member informed of any progress. It is important that we resolve the issue. It affected the lamb sector this year and beef last year. It will have a trickle-down effect on all sectors, so, if we are able to address the issue of voluntary labels with wording that might say, "A product of the island of Ireland", it would allow us to continue traditional trade on the island and look towards new markets collectively.

### Basic Farm Payment Cross-compliance Land Inspections

**T4. Mr Irwin** asked the Minister of Agriculture and Rural Development to outline her Department's time frame for the assessment of basic farm payment cross-compliance land inspections by local offices. (AQT 3054/11-16)

**Mrs O'Neill:** I do not have any specific time frame with me, but, suffice it to say, we are trying to meet our targets and get the maximum number of farmers paid in December. We are working towards that, and inspections are ongoing. As soon as inspection findings are received, the intention is to turn them around as quickly as possible. As I said, I want to make sure that we pay the maximum number of people in the first payment batch, which goes out in the first week in December.

**Mr Irwin:** I received information today that land inspections that took place in June have, five months later, still not been assessed. Does the Minister believe that that is timely?

**Mrs O'Neill:** I have no information to suggest that that is the case. If you want to pick up the matter with me outside of Question Time, that is not a problem.

### Rural Development Programme: Cross-border Opportunities

**T5. Ms McCorley** asked the Minister of Agriculture and Rural Development to outline what cross-border opportunities will be developed through the roll-out of the new rural development programme. (AQT 3055/11-16)

**Mrs O'Neill:** The LEADER scheme of the new rural development programme, which will be delivered by the newly formed local action groups (LAGs), contains a 7% focus on cross-border cooperation. My Department will be working closely with the new LAGs to develop cross-border projects that may focus on tourism, recreation and the development of social enterprises.

**Ms McCorley:** Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra sin. Will each LAG be

compelled to develop cross-border projects? Go raibh maith agat.

**Mrs O'Neill:** Yes, it is mandatory for each LAG to develop at least two cross-border projects. A joint North/South conference is proposed for January to assist LAGs in establishing partnerships so that they can share ideas, look at best practice and, hopefully, identify worthy and worthwhile projects that they can take forward in each of their respective areas.

### Basic Farm Payment Cross-compliance Land Inspections

**T6. Mr Moutray** asked the Minister of Agriculture and Rural Development how many basic farm payment land inspections her Department has carried out by classic and remote sensing this year. (AQT 3056/11-16)

**Mrs O'Neill:** I do not have the figures on me, but I am happy to provide the Member with them. He will know that we have been ramping up the number of remote sensing inspections each year. We may have had up to 2,500 this year, but I will confirm that with you in writing.

**Mr Moutray:** I thank the Minister for her answer. She indicated that she wants to increase the number of inspections carried out by remote sensing. What methods are you using to do that?

**Mrs O'Neill:** Going out and doing our inspections by remote sensing is an internal measure for the Department. Obviously, it is important that we get the photography — there is a word for it — and all such things right. The benefit of us being able to increase the number year on year is that we can get more people paid in the first batch in December. This year we hope to repeat that experience. We should eventually get to the stage where all inspections are done by remote sensing, which will speed everything up.

### Areas of Natural Constraint Scheme

**T7. Mr Lynch** asked the Minister of Agriculture and Rural Development to outline her future intentions for the areas of natural constraint (ANC) scheme. (AQT 3057/11-16)

**Mrs O'Neill:** As part of the decisions on CAP reform in June 2014, I announced that a payment would be made to farmers in severely disadvantaged areas (SDAs) from the rural development programme Pillar II under an ANC scheme. That would operate for two years — 2016 and 2017 — and be reviewed thereafter.

Work has just commenced on looking at the future options for supporting those areas, and my intention is to advance the consultation by 31 March to enable any potential changes to the architecture of the CAP regime in the 2016-17 period to be notified to the EU Commission before its deadline of 1 August 2016.

**Mr Lynch:** Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer. What was the value of ANC payments this year?

**Mrs O'Neill:** The most recent payments, which were made in March of this year, equated to £23·81 per hectare for disadvantaged areas and common land, and £47·62 per hectare for severely disadvantaged areas.



**Mr Principal Deputy Speaker:** Mr Chris Hazzard and Mr Paul Givan are not in their places.

## Horse Mussel Beds: Strangford Lough

T10. **Mr Lunn** asked the Minister of Agriculture and Rural Development for an update on the good health or otherwise of the horse mussel beds in Strangford lough. (AQT 3060/11-16)

**Mrs O'Neill:** The Member will know that my officials met the Commission and informally accepted a number of actions that it felt were necessary to deal with our responsibilities under the habitats directive. He will also know that the Commission was content with the scheme that we put forward and that things have been running very smoothly. Obviously, the situation is continually reviewed, but the Commission has formally advised us that, as a result of the progress that has been made, it is content.

The Strangford lough fishing licences are reviewed and awarded annually, with the aim of establishing an environmentally and economically sustainable fishery in the lough. Obviously, the health of the horse mussel is key to that, so it is a very positive picture.

**Mr Lunn:** I thank the Minister for that answer. She is attributing a great deal of knowledge to me that I do not have, because I am not on the Agriculture Committee.

The last time I asked about this, we were talking about horse mussel beds being the size of a table-tennis table when they should have been the size of a football pitch. When you talk about progress — as you say, the Commission appears to be moderately satisfied — are we still at risk of infraction proceedings if that progress does not continue?

**Mrs O'Neill:** We are not at risk in that the Commission is content with the proposals that we have put forward. When I say “the picture is positive”, it is more positive than it was. We have a revised restoration plan in place that is all about protecting the horse mussel. We have fishery restrictions, which, as you may remember, were in place in Strangford lough.

All the initiatives that are being taken are to protect the horse mussel and to make sure that we live up to our obligations and are not fined. We do not believe that the Commission has any intention of fining us at this time.

3.30 pm

## Private Members' Business

### Mental Health

*Debate resumed on motion:*

*That this Assembly recognises that mental ill health affects one in four people every year; further recognises the importance of having quality services that are fairly resourced, trained staff to afford early access and support, and a focus on prevention, resilience and mental well-being; recognises the importance of rehabilitation, with clear objectives established for accessing mental health professionals, within 28 days and close to home; further recognises the importance of raising awareness, reducing stigma and discrimination in relation to mental ill health; and calls for the Executive to work in collaboration to make dealing with mental ill health a top Programme for Government priority. — [Mr McKinney.]*

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

*Insert after third “health;”*

*“urges broad support for the urgent implementation of the world-class mental trauma service announced by the Minister of Health, Social Services and Public Safety in September;”.*

I thank the proposer of the motion for bringing it to the House for debate.

It is widely recognised that Northern Ireland has higher levels of mental ill health than any other region of the United Kingdom. It is estimated that one in four adults across Northern Ireland suffers from a form of mental ill health at some stage of their life. Mental illness does not discriminate, as it affects many people from all walks of life. Despite better outcomes from treatment for mental illness, there is still a stigma attached to it that prevents people from coming forward for help. More needs to be done to do away with that stigma and to encourage people to come forward, as well as to find and deliver the best services that we can to tackle mental ill health.

The Bamford review set in motion some of the most significant changes ever seen in mental health services. Those changes have transformed how we care for people with a mental illness and have significantly improved outcomes for many. The Bamford vision is to treat people in the community, close to their friends and family, and for inpatient care to be provided only for acute cases in which someone needs to be detained for their own safety and well-being. At the time of the Bamford review, we were spending 60% of the mental health budget on hospital services and 40% on community services; we now spend 44% on hospital services and 56% on community services. That is what Transforming Your Care is all about: care in the community.

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

As Bamford has been rolled out, we have seen improvements in how we treat, handle and help those with mental ill health. In 2014, the Department launched the regional mental healthcare pathway, You in Mind, to

commit the health service to delivering care that is more personalised and improves the experience of people with mental health problems. The trusts provide a range of services — including psychology, psychotherapy, cognitive behavioural therapy (CBT) and trauma therapy — that promote mental health and well-being. As we deliver services that are recovery-orientated and move away from reliance on drugs towards providing people with access to psychological and cognitive behavioural or talking therapies, we see that the Health and Social Care Board (HSCB) and the Public Health Agency (PHA) are delivering joined-up services on how mental health services, GPs and other primary care providers and hospitals can get better at making earlier interventions and moving people from long-stay hospital wards to community-based arrangements.

The Department published a stepped-care service model for child and adolescent mental health services (CAMHS) that promotes a more consistent, person-centred approach to mental health service delivery for children and young people. To reduce stigma, the Public Health Agency is working in partnership with the Northern Ireland Association for Mental Health (NIAMH) to deliver a future wide-ranging, three-year anti-stigma programme. There is also cooperation at cross-departmental level, with the ministerial coordination group on suicide prevention. The Department is working with DARD and DCAL on a joint initiative on awareness and help-seeking behaviour through rural networks and sporting organisations. That is Departments working together. We also have the Mental Capacity Bill, currently at Committee Stage, which sees the Justice and Health Departments working together in partnership.

That brings me, finally, to my amendment, which urges broad support for the urgent implementation of the world-class mental trauma service announced by the Health Minister in September. What will it do? It started with discussions in the Stormont House Agreement implementation group, which considered proposals to implement the agreement's commitment to establish a comprehensive mental trauma service in the health service. That was discussed by all the political parties that were in the Executive at that time. If agreed fully, it will lead to a better joined-up service that will provide opportunities for Departments, organisations and groups across sectors to share expertise and resources, ultimately benefiting service users.

I urge the House not to divide on the issue. I believe that we want the same things and the same outcomes. Let us show that we can unite on this very important issue. The amendment, I believe, strengthens the motion.

**Ms Maeve McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak on this important topic, and I welcome the Minister back to his desk. I hope that we will see some direct action coming from today's debate and the many others that are coming in front of it and behind it. It is important that we move mental health further up the political agenda with a clear strategic investment. It goes without saying that that is long overdue. Two recent reports — one from Queen's University and the other from the University of Ulster — have painted that in stark terms. The report from Queen's does not make easy reading in some regards. It highlights key issues of underfunding, a deeply fragmented system

and concerns regarding children and young people's services. As a society, we must take note of that and act on it.

In recent years, there has been an increasing recognition of mental ill health, and it is becoming a major public health issue. It is now regarded as one of the four most significant causes of ill health and disability. It is estimated that one in four people in the North has a mental health problem. There is evidence that mental health problems are 25% higher here than in England. Despite that, between 2008 and 2014, the actual spend on mental health services by trusts was around 25% less than was previously proposed, while spending in areas like primary care increased.

There are key messages in both reports about how we treat people as people. There are concerns, particularly in the Queen's report, about how service users are perceived by the system. The report highlights fragmentation across the system and poor communication between parts of the system, and it states that services have become very separate from each other and are very much working in silos. Care respondents frequently mentioned poor communication between different professionals, specialisms and facilities and often:

*"had to fight to receive the appropriate level of services".*

We must also respond to concerns about young people. I quote the Queen's research:

*"When a 14 year old won't open up, or talk, there is nothing for them. They are completely abandoned and left to their own devices, even when parents are begging for help".*

I want to make specific reference to the impact on mental health for those who have suffered sexual abuse. In 2012-13, there were 1,948 sexual offences in the North. If the core problem of psychological trauma is addressed at an earlier age, the victim is less likely to suffer the wider health implications that can arise from sexual trauma — another area of work that it would be wise for us to take note of.

The Children's Law Centre pointed to research that shows that there has been a significant increase in the number of children and young people with mental health needs. It is estimated that 10% of children between five and 15 years old have a significant mental health issue. In the last 25 years, there has been a 70% increase in the number of teenagers with depression and anxiety. As far back as 1999, the Chief Medical Officer recognised that children and young people in the North would suffer significant mental health problems before their eighteenth birthday.

A number of recommendations flow from the reports, one of which calls for the mental health budget to be ring-fenced. Another one calls for a mental health champion. I also acknowledge the recent work by Professor Siobhan O'Neill examining the link —

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

**Ms Maeve McLaughlin:** — between suicide and mental health. There are clear lessons for all of us in both reports, and I appeal to the Minister, in his response today —

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

**Ms Maeve McLaughlin:** — to commit to taking action on a proper mental health strategy with decent and fitting investment.

**Mr Nesbitt:** I begin with early apologies: I have a meeting at 4.00 pm elsewhere on the estate that, I think, will cause me to leave the Chamber earlier than I would have wished. I support the motion as amended, and, if time permits, I will return to the amendment.

My interest in mental health and well-being started at home, 21 years ago, when my wife suffered a serious mental health and well-being issue. It has not made me an expert by any stretch of the imagination — I do not claim that — but it has made me very aware of certain issues, not least the stigma that still surrounds mental health and well-being. If one of the 108 MLAs arrived in the Building with a broken arm, the other 107 would approach to ask, “What happened?” and “How can I help?”. With mental health, the exact opposite happens: the instinct is not to mention it and to stay clear. There is no logical reason for that sort of stigma in 2015.

I hugely admire my wife for her public contribution to this debate, not least in tackling the stigma and saying to others that it is OK to speak publicly about poor mental health and well-being issues. It encourages me to ask the other parties in the Chamber whether they will support the Ulster Unionists in calling for a mental health champion. Victims and survivors have a champion; older people have a champion; and children and young people have a champion: why not those suffering from poor mental health and well-being? I am not calling for a big commission or £1 million per annum. This can be done with a negligible impact on the public purse, but it would send out a hugely positive message to all those suffering from poor mental health and well-being.

The Chair of the Health Committee has already referred to the huge scale of the problem in Northern Ireland. I believe that globally, on a per capita basis, Northern Ireland may have the worst mental health and well-being on the planet. We are certainly up there with the likes of Israel and Lebanon, and nobody can be in any doubt that it is one of the most toxic legacies of the Troubles. Take a map of the Troubles hotspots measured in shootings, murders, bombings and the rest, as The Cost of the Troubles Study did in 1999, and you have a very clear picture. Then, take a contemporaneous map of poor mental health in Northern Ireland in terms of alcohol abuse, drug addiction and attempted and completed suicides: effectively, you have a match. There is no doubt — the evidence is there that this is a legacy issue for us.

I support the motion, not least because it recognises the need to make help available as close to home as possible. As a victims' commissioner, I spent time with a man from Fermanagh who used to come up to Maryfield for cognitive behavioural therapy. His daughter, who drove him there, said that, as they left to head back to Fermanagh, he was in great form, but, by the time they got off the motorway, she could sense him slipping back. When they hit Augher, Clogher and Fivemiletown, he was nearly as bad as when they had left. This kind of medicalised help — that sort of intervention — needs to be as close to the front room as possible.

I mentioned the amendment, and, because it urges us to offer broad support to the Minister of Health's initiative, I

can support it. I cannot give it any further support because as yet we lack the detail. The Minister would acknowledge that all he did was task senior officials to look at what might constitute a world-class mental trauma service. I am glad that he is looking at that. It is, of course, a commitment in the Stormont House Agreement of 23 December last year. I will certainly support him if he puts forward solid proposals for a world-class mental trauma service.

To my mind, if we are to tackle this as we should, the solution is not purely a medicalised one.

We need to look at the societal interventions out there that can be copied so that the tens of thousands of people who woke up this morning feeling no real purpose in their lives can find that purpose —

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

**Mr Nesbitt:** — can start living fulfilled lives and go to bed with a sense of achievement. That is the prize.

3.45 pm

**Mr McCarthy:** I am happy to support the motion and the amendment on behalf of the Alliance Party. The motion is not dissimilar to one that I brought to the House on 28 April 2014, which we got full support for. I welcome our Health Minister to the Chamber and hope that he can give us a positive response at the end of this debate.

It is recognised that around one in four people have mental health conditions or problems. Unfortunately, that is more prevalent in Northern Ireland, and the legacy of the Troubles is a particular factor. At the same time, Northern Ireland spends less per head of the population on mental health than other jurisdictions. I acknowledge that some positive changes have occurred in the quality of and access to services, and that there has been some rebalancing of mental health expenditure from acute inpatient services towards the delivery of services in the community. Nevertheless, we are still investing a lower share of health spending on mental health in general compared with other regions. Pressure remains on some areas in particular, such as psychological therapies and child and adolescent mental health services.

Mental health services remain the Cinderella of the health service, which is a shame. They remain underfunded in comparison with services for physical illness, and there is considerable underfunding here in comparison with the rest of the UK. This systemic under-resourcing of mental health services is perhaps the clearest example of the reality that we do not have the balance of funding in our health service correct at this time. We urgently need to reassess our priorities and reach out to people like Margaret Gibson, who recently wrote to a morning newspaper to plead with MLAs — that is us; all of us — to listen and to provide her and her family with a proper mental health service.

Addressing mental health issues is more than just an issue for the Department of Health but for the Executive as a whole. The Bamford review of mental health and learning disabilities, as has been mentioned, provides the overarching framework for addressing mental health issues in our society. I welcome the Executive-wide Bamford action plan 2012-15 and support its full implementation. However, I remember that, when the

Bamford report was launched, no extra funding was provided. Perhaps that is why we are suffering today.

One key component of Bamford is the Mental Capacity Bill, as has been mentioned. That legislation is now moving through its Committee Stage. It offers the prospect of Northern Ireland becoming a world leader through having a single statutory framework for decision-making and care for physical and mental health conditions. Our Department of Justice is jointly working with the Health Department, and we all wish to see a speedy end and a good result. Time is tight in which to get that legislation through before this Assembly term ends. Unfortunately, the process has been held up due, I maintain, to the absence of a Minister, which prevented the Department from responding to requests from the Committee. Any further delays would result in a real missed opportunity, not least as this legislation has been under development for almost a decade. I would be grateful if the Minister would give the Assembly an assurance that all efforts will be made to ensure that the legislation can pass through all its stages before the Assembly winds up next year.

Concern has been expressed at the potential cost of implementing the mental capacity legislation. It is important that we also understand the implications of not proceeding. Notwithstanding the Executive's financial difficulties, I think that the Minister should also give an assurance that the legislation will proceed and, at the very least, that the Bill or aspects of it will be commenced as circumstances allow.

I also welcome some of the initiatives that have been taken in recent years, including the Executive's economic inactivity strategy and the consultation on a disability employment strategy that was recently published by my colleague the Minister for Employment and Learning, Dr Stephen Farry. If we can help people to stay in work or to access and sustain employment, it would improve their self-esteem and help our economy. We must be clear in our message that many people can continue to lead meaningful lives despite mental health conditions. Addressing discrimination and stigma, as already mentioned, is therefore particularly important.

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

**Mr McCarthy:** It is also important to acknowledge —

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

**Mr McCarthy:** — the crucial role played by the voluntary organisations. I commend FASA for its recent opening of the Nightingale project on the Newtownards Road.

**Mr G Robinson:** In speaking in favour of the amendment, I have to commence from the beginning and say that I hope that the proposers of the motion will agree a budget and allow forward planning by the Minister and all Departments.

As someone who had a close family member suffering from mental health problems a few years ago, I fully appreciate the trauma that the patient and family go through. For whatever reasons, there is a high level of mental health issues every year — about 400,000 in Northern Ireland — and it is a challenge to ensure services that are capable of dealing with that level of need.

The Minister has outlined the world-class mental trauma service in September. I believe that that is the way forward. I would like to pay tribute to the first-class staff who maintain our mental health services. While they deal with the problems of others, it is rarely recognised that they need our support.

**Mrs Hale:** I thank the Member for giving way. He will know that I have the full support of the current Health Minister on armed forces issues. We are aware of the devastating impact that PTSD has on sufferers and their families but, sadly, many healthcare professionals do not recognise the symptoms, instead using guidelines for schizophrenia and bipolar, resulting in sufferers being turned away, as a Belfast hospital did recently. Does my colleague agree that we must recognise and acknowledge that PTSD as a mental health issue may stand alone, that it disproportionately affects members of our security and armed forces and that the implementation of a mental trauma service would be welcomed by the families as well as by all service users?

**Mr Deputy Speaker (Mr Dallat):** The Member has an additional minute.

**Mr G Robinson:** I fully agree with Mrs Hale and acknowledge that all pathways to mental health services must be available to serving and ex-serving members of our armed forces. I believe that the Minister will address that particular issue later in the debate.

I ask Members to support mental health today. The best way to do that is to vote for the amended motion. That will give staff and patients a world-class service, which will have clear, strategic goals that will benefit those in need of, and those manning, the service. I welcome an emphasis on prevention, as a preventative model is always better than a curative one.

I would like to say a few words about the stigma attached to mental health. As chair of the all-party group on epilepsy, I have learned how damaging stigma can be for individuals and families. I understand that the same applies in cases where mental illness occurs. The best way to address that is to educate our population as to the need to be proactive with mental illness. Bearing a condition only leads to suspicion and stigma. The sooner a problem is identified, the sooner that work can begin to address the situation and put support in place.

I urge all Members to support the amended motion, as I see it as the best way to provide and continually develop the services required for those with mental health issues.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Today's debate gives clear focus to the issue of mental illness within our society, and I commend the proposers for bringing it forward. It brings home to us the very real truth that probably one in four people are grappling with mental ill health at any given time.

We know that there is a connection between mental ill health and suicide. That can sometimes lead to a person taking the tragic decision to end their own life. Some 280 people per year feel that they have no other choice. Some of those tragic deaths could be avoided if the right services and supports were in place. Early intervention is key to addressing the needs of people who feel isolated, depressed and hopeless.



In that context, it is a matter of grave concern that the services that are offered by Lifeline are under threat, and we have all received lobbying from that organisation to urge us to support its funding being continued. Lifeline is a 24/7 suicide crisis prevention helpline and counselling service. The situation must be addressed to ensure that the lives of people who desperately need that important service are not placed at risk.

On that note, a recent study by Action Mental Health and Queen's University, Belfast has alerted us to the fact that sufferers of mental health conditions are being let down on an ongoing basis due to major reductions in funding to psychiatric support services in the North. Following the research launch a few weeks ago, David Babington, the chief executive of Action Mental Health, flagged up some very salient points. He told us that mental health services here are already underfunded and that further funding cuts mean that people who rely on those services have to wait far longer for the help that they so badly need. While the funding for primary care services has been increased by 136% over the last six years, facilities for mental health provision have suffered a 26% underspend. That is a matter of huge concern.

Officials in the statutory, community and voluntary sectors know only too well that people who use mental health services experience increased social isolation, stigmatisation and total frustration with the lack of provision for their needs. We need to do something about that to ensure that people do not continue to suffer needlessly. The situation is as dire as it could possibly be, and it is clear that there is a real need for the Executive to give a positive reaction to the needs of the sector to address the lack of understanding and investment in resources, education and professional training.

A number of recommendations arose from the study, and it is timely and worthwhile for those to be given genuine consideration. They include: a more secure funding basis for mental health services; the establishment of a regional working group to examine the extent and impact of mental health service fragmentation, including variations in provision between urban and rural settings; the establishment of a mental health champion to renew the Bamford vision; and the need for attention to be given to the role of carers. Other important recommendations include the need for a recovery ethos to be more firmly embedded in the practices of users and carers, for a person-centred approach to be in place and for a relationship-building approach to be central to service delivery. One other very important recommendation is for action to be taken to reduce the stigma that surrounds mental ill health. People have talked at length about that.

The study found that statutory and voluntary sector organisations identified the need for better partnership working between different sectors and service providers. There must be a genuine review of mental health service provision so that a coherent strategy can be produced that will use resources in a way that serves the real needs of sufferers. The role of the community and voluntary sector is crucial in that provision, and the future lies in an effective collaboration between that sector and the statutory agencies so that the widest possible range of providers and approaches are made available for those who need those services.

Several weeks ago, the Health Minister made a very welcome announcement about the setting up of a world-leading mental health service to provide high-quality and effective treatment for people who are experiencing trauma-related mental health problems. He stated that mental ill health is the greatest cause of disability here and much of that relates directly to the conflict. In that regard, a special case has to be made for the North of Ireland so that there is a real recognition of the impact of the conflict and how it has contributed to the high levels —

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

**Ms McCorley:** — of mental ill health here.

I urge people to support the motion and that proper strategies are put in place to address mental health issues.

**Mr Buchanan:** I support the motion and the amendment. While mental health issues have always been branded the Cinderella of the health service, through a lot of good work by charities, and since the Bamford review, things are slowly beginning to change. However, that said, much work is yet to be done.

It is alarming that we are still in a situation in which one in four of the population in Northern Ireland suffer from mental ill health each year. There is no doubt that that will increase, because, unfortunately, more and more young people require those services. I see this trend through my constituency office, as I help families on a regular basis to access services, perhaps for one of their younger family members. It is always a stressful time for the family. They always relax, if you like, when they get somewhere where they know that their child or an older member can go to be treated and well looked after and where they know that is being provided for them. In rural areas, that can sometimes create further difficulties of travelling times and distances. It is therefore vital that appropriate services are in place to provide proper care and support to patients, carers and families affected by mental illnesses, and that such services are readily available and consistent across all trust areas.

#### 4.00 pm

The motion speaks of all the important things that we fully agree with — for instance:

*“the importance of having quality services that are fairly resourced, trained staff to afford early access and support, and a focus on prevention, resilience and mental well-being”,*

and it goes right on to raising awareness and reducing stigma and discrimination in relation to mental health issues. However, one thing that it left out was the implementation of the world-class mental trauma service announced by the Minister of Health, Social Services and Public Safety in September. That is the reason why we brought forward the amendment to the motion. The Minister has outlined his vision for Northern Ireland to become a world leader in treating psychological trauma and mental ill health.

As a Member who spoke previously said, there is no doubt that it is a legacy issue. As they grow older, problems and difficulties are created for those who were involved or were victims of the Troubles over the years. They get more and

more depressed. Therefore, any service that is provided must be all-inclusive. It must not only be for the citizens of Northern Ireland but include all those who served in the army or other services here.

The key message that we must get out from the House today is that mental illness can be overcome and defeated. There is a stigma out there around mental health and illness which has to be overcome, and that is the clear message that must be sent out from the House. Of course, there are challenges to the mental health sector in rural areas and communities. We can see, and fully understand why, a lot of services are based in urban areas, where the populations tend to be. However, let us look at the more isolated rural communities, such as farming communities, which have suffered over the past years. There has been a lot of pressure on them. We have seen a lot of farmers in despair and at breaking point. Again, it is important that we do not forget those areas but continue to ensure that proper services are provided for them.

Being from west Tyrone, I cannot close my remarks without saying to the Minister that I look forward to him soon making a decision on the second phase for the new acute mental health hospital in Omagh. That acute mental health hospital, to be provided as the second phase of the new building in Omagh, will be a great help to people in the rural west of Northern Ireland.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I speak in favour of the motion and the amendment. In the North, of course, we have significant mental health problems in comparison to other jurisdictions, as has already been said. We have higher rates of suicide. We have, arguably, a higher rate of stigmatisation in areas as well. Stigma increases isolation and makes it much harder for people to come forward to receive treatment and help. Mental health problems face all of us — ourselves as much as anybody else. Much more needs to be done. People need to speak out about their own experiences to help tackle the stigma that hangs over those with such health problems.

Prevention, of course, is much better than cure, which is why it is important to have services not only in the Department of Health but in other Departments. In DE, for example, there is the independent counselling service for schools. It is also important to make the link between mental health problems and physical health and well-being. Ensuring that people live in a safe and healthy environment in terms of their housing and that they have choice in active travel and sports are important health factors. Mental health does not just go into a box but is connected to all those issues, which all have an impact.

I am a rural MLA, and it is concerning that people living in rural areas have significantly less access to vital mental health services than those living in urban areas, so it is important that funding to key groups in rural areas continues. I can think of many such groups in my North Antrim constituency. The Hope Centre in Ballymena helps people recovering from drug addiction and their families, and Solas in Ballycastle was set up in reaction to the rising suicide rate in the Moyle area. It is a community-led mental health and well-being group. Such groups are located in very isolated areas, and any reduction in funding often results in their going to the wall. That always needs to be taken into consideration.

Earlier today, we had a debate about marriage equality and the LGB and T community. That community faces huge mental health and well-being problems because of bullying and intimidation. The rates of self-harm and suicide attempts are absolutely shocking. We can do something about that. It is important to comment on that, because the more that we can change attitudes and views that are based on people's sexual orientation, the greater impact there will be on that community. The earlier debate about marriage equality is very much connected to mental health when it comes to the LGB and T community, and it is worth bearing that in mind.

As others said, strategies need to be put in place to deal with this huge issue. As the Member who has just spoken said, there has been an increase in the number of people accessing these services. That could be for a number of reasons, but I hope that people who previously did not want to be seen accessing these services are doing so now. Stigma is a big issue when it comes to mental health. The more that people such as us — people in leadership positions — talk about their mental health difficulties — we all have issues — the more chance there is of helping to de-stigmatise what is essentially a massive health issue. Somebody in the sector once asked me, "Why do you always talk about having a mental health problem? If you break your leg, you don't go about saying you have a physical health problem". It is a health issue and problem, regardless of whether it is to do with the state of your mind or something physical. All those things are interconnected.

**Mr McMullan:** I thank the Member for giving way. Does he agree that services need to be rural proofed now more than ever to ensure that the right facilities go into rural areas?

**Mr Deputy Speaker (Mr Dallat):** The Member has an additional minute.

**Mr McKay:** I absolutely agree with the Member. As a Member for North Antrim, I know how isolated communities can feel. In rural areas, you find that the community steps up to the plate. It happens in urban areas as well, but, when you are a considerable distance from certain health services, you find that the community steps up to the plate. It is vital that those community groups and organisations in places such as Ballycastle, the glens and Ballymena continue to have our full support, because they carry out an important role in preventing greater mental health problems. Often, I do not think that their role in prevention is recognised by a number of Departments.

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

**Mr McKay:** I urge Members to support the motion and the amendment.

**Mrs D Kelly:** I begin by paying tribute to the men and women who have forged careers in caring for people with mental ill health and also the carers and families of sufferers. It is no easy task at all and one that largely goes unacknowledged.

Recently, I met some of my former colleagues in the Southern Health and Social Care Trust to discuss mental health services in my constituency, and I was very impressed by the ways of working smarter. Many people are thinking of new and innovative partnerships to try to better meet the needs of sufferers and their families

and also, in a very financially constrained climate, to try to do things differently. I understand that there is now a new group of nurses called "nurse prescribers", which is a wonderful initiative. I understand, too, that the Justice Minister is about to sign off on the elements of the domestic and sexual violence strategy for which he is responsible. I urge you also to make that a priority amongst your commitments and priorities over the next few days. I do not think that any of us could not acknowledge the impact that domestic violence has on the lives of children and families with regard to mental ill health. That should be a key priority amongst many, I am sure, that face the Minister.

I also want to touch on workforce planning because I understand that, under mental health terms and conditions, many staff, particularly in the nursing professions, can leave at age 55. Therefore, there needs to be some element of planning to fill those gaps. Having spoken to many of my former colleagues, some of whom have recently retired and some who are planning to do so, I know that we are losing the huge experience and dedication of those staff. They will be difficult to replace. There is also the opportunity to work alongside the Open University with regard to the employment-based route for some support workers and nursing auxiliary-type staff. I urge the Minister to give that consideration as a Programme for Government initiative by himself and the Minister for Employment and Learning.

I want to focus my remarks on looking at dementia services, which are also part of the Minister's very broad portfolio. In 2014-15, in Upper Bann, which is in the Southern Trust area, there were 2,995 referrals. The demand for dementia services rose by 36% in the Southern Trust area alone. I am aware of the Public Health Agency's work to develop a framework strategy for dementia services for Northern Ireland, which is partly funded, I understand, by Atlantic Philanthropies. I hope that, in looking at all those holistic needs, we also look at the need for short breaks and respite services for carers and that particular attention is also paid to the needs of dementia sufferers who are under 65 years of age because, currently, there is no specific specialist provision for that type of service. As we all acknowledge, many people with learning disabilities are living longer. We also see many of them suffering from dementia, maybe from their late forties onwards, so very niche services are needed in the dementia strategy.

As regards young people, adolescents and CAMHS provision, Bamford made specific recommendations on their needs. I do not believe that those have yet been fulfilled. I worked for 22 years in mental health services, and I still have sisters working in the specialties. They tell me about the younger age of chronic alcoholics who are presenting in long-stay hospitals; people in their twenties displaying symptoms that you would have expected to see in someone who had been a chronic alcoholic for 40 or 50 years. That is mind-blowing with regard to needs. We face a number of time bombs across mental ill health.

I acknowledge the post-traumatic stress needs of the security and armed forces, but I think that, tonight, we will learn more about some of the nurses who were at the front line during the years of the conflict. I met an old colleague who broke down after 30 years. She was a nurse who had

attended the scene of the Abercorn bomb; another horrific example of our troubled past.

In looking at the issue of post-traumatic stress disorder, I urge the party on the opposite Benches to look not just at the needs of the armed services —

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

**Mrs D Kelly:** — but at those of all our emergency services.

**4.15 pm**

**Mr Deputy Speaker (Mr Dallat):** I call the Minister of Health, Social Services and Public Safety —

My apologies: I call Mrs Jo-Anne Dobson.

**Mrs Dobson:** Thank you, Mr Deputy Speaker. You are forgiven.

I welcome the opportunity to speak to the motion. In recent weeks, the Assembly has debated major issues such as patient waiting times, autism and delays in key cancer services. Another issue, however, arguably just as pressing, is our endemic rates of poor mental health and how we, as an Assembly and a society, respond to that.

One in four people in Northern Ireland will experience a form of mental ill health in their life. Let us think about that for a moment: if we think of our family and our friends, one in four is a perturbing figure. Although the issue affects all regions and communities across the UK, we know that there is a 25% higher incidence of mental health problems in Northern Ireland compared with England and Scotland. The total financial cost of mental illness in Northern Ireland is estimated to be in the region of £3 billion annually, with the majority of costs not healthcare-related. Instead, the costs are to reduced economic output, owing to factors such as sickness absence and non-employment. Human costs, however, entail by far the biggest financial loss, in the form of premature death and institutional problems.

Anyone, no matter what age, gender, socio-economic status, life experience or profession can develop mental health problems, and it is often an invisible condition. As constituency MLAs, I am sure that we all know of people who are facing serious mental health issues but who mask their condition, often bottling it up until it becomes just too much to handle. Quite simply, far too many people are being lost to suicide, particularly young people in relatively confined geographic areas.

I pay tribute to the local charities, including MindWise, that do fantastic work, often with very limited resources, with the most vulnerable in our society. Given that suicide remains one of the largest killers in Northern Ireland after cancer and heart disease, it is clear that there is so much more that we need to do. Northern Ireland's suicide rate has almost doubled since 1998, putting us in the top quarter of the global league table of suicide rates. Worryingly, there is a growing body of evidence that suggests that the trend is associated with the Troubles. For instance, the young people who experienced the worst of the violence in the 1970s are the cohort with the highest and most rapidly increasing suicide rates in the decade after 1998.

The Ulster Unionist Party has serious concerns about the Public Health Agency consultation on the future of the

Lifeline crisis intervention service. The most well-known feature is, of course, the crisis response helpline, and I am in no doubt whatsoever that it has been a salvation for people experiencing great distress or despair. I ask the Minister directly today to throw that service an urgent lifeline. As the figures for service users prove, it is simply not true to say that the current service is Belfastcentric. In fact, from April 2012 until September this year, there were 1,184 referrals in my constituency of Upper Bann alone. The facts speak for themselves on that important and life-saving issue.

The Appleby report found that Northern Ireland required almost 44% higher per capita funding than England, yet actual spending at the time was between 10% and 30% lower than per capita spending on mental health in England. Michael McGimpsey identified mental health as an area that required additional funding and used the remainder of his time in office to begin delivering just that.

Later, the Bamford review clearly identified the need for improved access to services and for a more coordinated framework for provision to be developed. Frustratingly, however, few of the recommendations have been followed through to completion. It is about time that the Executive and the Department step up to the mark and start giving our local mental health provision the support that it deserves.

**Mr Deputy Speaker (Mr Dallat):** Now it is time for the Minister to respond.

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** I welcome the debate and the opportunity to participate in it. I welcome the opportunity to focus on mental health, which, as many Members have acknowledged during the debate, has historically been a poor relation in health and social care. As Mr Buchanan mentioned in his contribution, thankfully, things are starting to change. A lot of high-quality, essential work is carried out in our communities and in our hospitals by talented and dedicated people. They very much deserve our respect and our thanks.

We face significant challenges in the arena of mental health: the legacy of the Troubles; an ageing population; areas of deprivation; unemployment; and stress at work. There is barely an element of modern life that does not have the potential to adversely impact upon someone's mental health. As an Executive, we face the challenge of prioritising how we spend finite amounts of public money. One in four adults in Northern Ireland will suffer from a mental health problem at some stage in their life. Northern Ireland has higher levels of mental ill health than any other region in the United Kingdom. The Public Health Agency's 'Making Life Better' strategy, published in 2014, established that Northern Ireland has a 25% higher overall prevalence of mental illness than England.

In the past decade, significant reform and modernisation of mental health services has taken place, although I acknowledge that more needs to be done. The Bamford review, which was referenced by many contributors, set in motion some of the most significant changes ever seen in mental health services here. Those changes have transformed how we care for people with a mental illness and have significantly improved the achievable outcomes. The Bamford vision is that people with a mental illness should be treated in the community, close to their

families and friends, unless there is a clinical reason for not doing so. The focus in the last number of years in service development has been on early intervention, home treatment services and the development of psychological therapy services. Transforming Your Care endorses this approach. Since Bamford reported in 2008, investment in mental health services has increased to £247 million a year. That is an increase from £200 million a year. More importantly, the balance of funding has shifted. At the time of the Bamford review, we were spending 60% of the mental health budget on hospital services and only 40% on community services. Now we spend 44% on hospital services and 56% on community services. We are working towards closing old, inappropriate institutions that are no longer fit for purpose, and we are steadily opening new, more appropriate community-based accommodation around Northern Ireland.

In October 2014, the Department launched a regional mental healthcare pathway called You in Mind. The focus of the pathway is to commit Health and Social Care to delivering care that is more personalised and improves the experience of people with mental health problems by adopting a more evidence-based and recovery-orientated approach. One of the key elements was the publication in 2010 of 'A Strategy for the Development of Psychological Therapy Services', which has largely been implemented. A range of services are provided, including psychology, psychotherapy, cognitive behavioural therapy and trauma therapy. The HSC Board estimates that between 75,000 and 80,000 sessions are provided annually. Recent investment has focused on the training of existing staff in psychological therapies and the establishment of primary care talking therapy hubs. The HSC Board is into the second year of a five-year plan to establish these hubs across each trust area. The hubs focus on providing a range of psychological therapies for people who are experiencing common mental health problems. They are developed around general practice and will improve access to earlier support and care.

There is even an economic argument to support excellence in the provision of psychological therapies and mental health services generally. DSD has since 2008 provided funding to my Department to support the welfare-to-work agenda. A Queen's University/Health and Social Care Board report in 2014, published to support the continuation of this funding, found that 44% to 46% of people claiming illness-related out-of-work benefits do so because of mental ill health. However, for every £1 invested in psychological therapy services, there is a saving of £1.75 to the public sector. The report estimates that, within two years of recovery following successful treatment, the employment rate for those with moderate to severe mental health problems is increased by 11.4% and by 4.3% for those with mild mental health problems. I argue that we need to continue investment in this area.

I turn to the issue of CAMHS, which Dolores Kelly mentioned in her contribution. The Bamford review set out the strategic direction for children's mental health services, which are mainly delivered through community-based teams. There is also a 33-bed children and adolescent mental health inpatient unit at Beechcroft. In July 2012, the Department published a stepped-care service model for CAMHS, and this promotes a more consistent, person-centred approach to mental health service delivery for children and young people. Improvements



include an increased focus on early intervention, better multidisciplinary working and collaboration with the community and voluntary, education and youth justice sectors.

I want to turn to an issue that was not raised but which is an important mental health issue nonetheless, and that is eating disorder services. Those are currently provided through a stepped-care approach that ranges from early detection and intervention, to community-based treatment, to specialist inpatient provision. However, I am aware that there is considerable support for a local specialist eating disorders unit. We need to be sure that any such service would be sustainable in the long term. I therefore asked my officials in October to start considering all the various options available to us.

Members will recall my announcement in September that I want Northern Ireland to become a world leader in treating people with psychological trauma and that I have tasked officials to create an innovative service that will meet the needs of those suffering from mental trauma. I welcome the amendment before us today. My announcement followed on from exploratory discussions in the Stormont House Agreement implementation group, which considered proposals to implement the agreement's commitment to establish a comprehensive mental trauma service in the health service. The full details continue to be developed, but the intention is that the final model will support the voluntary and community sector to create an integrated approach with the Health and Social Care system to address mental health need.

The service would allow for a range of interventions, meeting the spectrum of need across our community, irrespective of where that is. It would involve leading-edge, evidence-based treatments in line with NICE guidelines and be based on the authoritative and internationally recognised stepped-care model that focuses on the recovery of the individual from psychological trauma. The model recognises that, for people to recover, they may often need a combination of evidence-based social, family, psychological and psychiatric interventions; in short, a collaborative partnership across community, voluntary and statutory services.

In establishing the service, I intend to achieve four main aims: to address comprehensively the legacy of the Troubles and unmet mental health needs; to improve individual, family and community experience of mental health trauma care; to improve the psychological and social outcomes for individuals, their families and communities who have been traumatised as a result of the Troubles in Northern Ireland; and to improve governance and accountability.

The last of those is very often overlooked, but I believe that it is important that we provide care either in the statutory sector or in the voluntary and community sector and that services are joined up, involve less duplication and enable more timely responses to psychological problems that are effective from the outset. A joined-up service will provide opportunities for organisations and groups across sectors to share expertise and resources, ultimately benefiting service users.

My Department, together with the Health and Social Care Board, has been concentrating on designing the medium- to high-impact, high-intensity support that, in the

model, would be provided within Health and Social Care and involve treatment for people with diagnosable and complex mental health problems. Care at that level must be provided by registered mental health professionals. The current model estimates that we would need to recruit over 40 additional whole-time equivalent specialists to accommodate the volume of patients and levels of need. That gives a further indication of the scale of the challenge that we face. Finalising the design of the model and financing such a service are significant challenges that we need to overcome. I urge all Members, including Executive colleagues, to work together to agree those arrangements as soon as possible. Just as the Royal Victoria Hospital is world class in dealing with physical trauma, I hope that we can agree that a mental trauma service would be a fitting legacy to those who continue to suffer as a result of the Troubles.

In respect of the point raised by my colleague Brenda Hale about post-traumatic stress disorder and unrecognised symptoms among armed forces personnel, I am happy to contact her about the issues that she raised and, hopefully, provide her with an adequate response. She will be aware that the Department is involved in working with the armed forces across a range of health issues and chairs a forum that meets regularly and which involves representatives from the charity Combat Stress. For serving members of the armed forces, mental health services are provided by the Ministry of Defence, and services for veterans and dependants are provided within Health and Social Care. She raises a very important issue, and I am very happy to contact her about any specific concerns that she may have.

#### 4.30 pm

It is vital that we speak openly about mental health and encourage people who are experiencing emotional difficulties to seek help. Health and Social Care is working across a number of levels to reduce the stigma associated with mental ill health. The PHA and the Northern Ireland Association for Mental Health are working in partnership to deliver a future wide-ranging three-year anti-stigma programme entitled Change Your Mind. The cross-departmental ministerial coordination group on suicide prevention has expanded its remit to cover a broader range of activities to promote positive mental health. My Department is working with DARD and DCAL on a joint initiative to promote mental health awareness and help-seeking behaviour through rural networks and sporting organisations.

Another progressive development is the Mental Capacity Bill, which is currently at Committee Stage. If passed, it will be an international first in establishing a fused approach for mental health and mental capacity law. I am very grateful to Members from all sides who are considering the Bill so assiduously, and I urge colleagues to continue to work together to ensure that we pass Final Stage before the end of this mandate.

In her remarks, Jo-Anne Dobson mentioned the Lifeline service, and I want to use this opportunity to provide an update to the House. The current Lifeline contract ends on 31 December this year, with the possibility of extension until 30 September next year. I understand that an extension has twice been offered to the current provider of Lifeline services but has been refused on both occasions. The Lifeline crisis response service is a key component

of the Protect Life suicide prevention strategy. The PHA is keen to engage with the relevant stakeholders to ensure that the future service specification is appropriately informed, and the agency has already undertaken a Lifeline pre-engagement public consultation, the findings of which have assisted in identifying the most effective and efficient model to obtain the best outcomes for taking the service beyond 2015.

The proposals for the future delivery of the Lifeline service retain four essential core components of the current service. Those are a free-to-call crisis telephone helpline that will be accessible 24 hours a day; skilled helpline staff trained in crisis de-escalation and in assessing suicide risk; signposting callers to the most appropriate service for their needs; and referral to follow-on support where necessary. By splitting the provision of immediate helpline support from follow-up support, the proposals avoid a potential perverse incentive whereby the helpline provider would gain financially from referring a client to follow-up support that it also delivers. By ensuring that follow-up support is locally based, access to that service should be improved, particularly for rural dwellers.

The point is that the plans that are out for consultation at this time are looking at better integration with elsewhere in the service, particularly with the Ambulance Service, and better coverage across Northern Ireland. That recognises a criticism that the service has not been up to standard outside Belfast. There should also be improved governance. The important point for Members to remember is that, at the end of this consultation and at the end of this work, the Lifeline service will be retained, and we are seeking to improve the service that people receive.

In conclusion, improving people's mental health is vital for their well-being and that of their families. It is as important as their physical health. People with a mental illness must be supported to take control of their lives and live purposefully in their communities. While our mental health services have come a long way since Bamford, we have much more to do. I am committed to further reform and innovation. That will require funding. Some of that can be found by reprioritising existing resources, but new money will also be needed. That will be difficult to find, but we all have a responsibility to ensure that we have sufficient means to meet the mental health challenges that we face as a community.

**Mrs Cameron:** I rise as a DUP member of the Health Committee and as a member of the Ad Hoc Committee on the Mental Capacity Bill, which is currently going through. I welcome the opportunity to contribute on this important matter. As we are all aware and as many Members have highlighted, during our lifetime, one in four of us will be affected by some degree of mental health difficulty. Many of us in the Chamber, including me, will be well aware of what it is like to suffer from poor mental health at some stage in our lives. In my case, after childbirth, I did not recognise that I was suffering from postnatal depression. Unfortunately for me, I was not diagnosed. In fact, I was not even aware that I should be seeking help at that time of my life. Twenty-three years on, I trust that mothers today are more aware and that the stigma that has always been there has lessened over time.

In the eight years since the publication of the Bamford report, we have made significant improvements in how we deal with patients presenting with mental health issues.

That is a trend that we must continue and build on, in keeping with Transforming Your Care.

At the core of any strategy, we must focus on ensuring that stigma surrounding mental ill health is removed. Sadly, many misconceptions, inaccuracies and misnomers surround the issue, meaning that many people, particularly men, are reluctant to ask for help.

With the Bamford vision to be able to treat as many people as possible within a community setting, our efforts must centre on normalising the reality of mental ill health and ensuring that we work towards community-based support systems, such as within the family, friendship circles or local help networks. Coupled with recognising the parity between mental and physical health, that would provide a strong foundation on which to provide early intervention and improve outcomes for those suffering from poor mental health.

In September, the Health Minister announced plans for a world-leading mental trauma service. At the time of the announcement, he recognised that mental ill health was the biggest cause of disability in Northern Ireland. He also acknowledged that over 213,000 people were suffering from mental health difficulties that could be attributed directly to the Troubles. That figure is likely to be much higher due to the ripple effects on families, causing a worrying precedent for future generations.

It is clear that this service is much-needed and will be possible only with inter-departmental working. I cannot think of one Department that does not have a part to play in shaping the service, whether it be the Department of Education looking at early coping mechanisms such as one I witnessed on a recent visit to Ballycraig Primary School in my constituency, which provides a fantastic nurture facility to help children to cope with emotional and social difficulties; the Department of Agriculture in reaching out to the increasing number of members of the farming community who are experiencing depression; or the Department for Social Development in tackling drug and alcohol abuse through funding charities such as FASA, to name but a few.

There is no silver bullet and these are not changes that will happen overnight. However, working with the community and voluntary sector, we can make a real societal change.

I want to turn to some comments from the Floor in relation to our party's amendment. I welcome the support given to the amendment. Fearghal McKinney, the proposer of the motion, said that it neither added to nor took away from the motion. He welcomed the intention to develop a mental trauma service.

Alex Easton, the proposer of the amendment, said that a mental trauma service has been discussed by all political parties and that it would lead to a better, joined-up service, allowing opportunity to share expertise and resources to the benefit of service users. Maeve McLaughlin spoke of the huge scale of the mental health problem in Northern Ireland.

Mike Nesbitt, supporting the motion as amended, spoke of his awareness, in particular, of the stigma in relation to mental health, given his own wife's experiences. He talked about a mental health champion and the commitment in the Stormont House Agreement to have that trauma service.

Kieran McCarthy spoke to the motion and amendment. He said that Northern Ireland spent less per head than

the rest of the UK on mental health. He also spoke of how the Mental Capacity Bill was moving through Committee Stage.

George Robinson said that he believed that a world-class mental health trauma centre —

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

**Mrs Cameron:** — was the way forward. There were other contributions as well.

Whilst the motion transcends politics, it is obvious that none of this will be possible without agreement to welfare reform. We all understand the severe cost that is being imposed. I thank the Members across the Floor for supporting the amendment.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Go raibh míle maith agat, a LeasCheann Comhairle, as deis cainte a thabhairt domh ar cheist ríthábhachtach seo na sláinte intinne. Éirím ar an ócáid seo le hachoiriú a dhéanamh ar an rún, ach caithfidh mé a rá go bhfuil muidinne ar an taobh seo an-sásta tacaíocht a thabhairt don leasú fosta. Tá súil agam go mbeidh mé in inmhe cothrom na Féinne a thabhairt do oiread Comhaltai a ghlac páirt sa díospóireacht agus is féidir liom.

I welcome the opportunity to wind up what has been a very positive debate on the motion. While Members may disagree slightly on the nuances of the implementation of mental health services, they all agree on the scale of mental health issues and that it cannot be ignored. The provision of mental health services is one of our society's greatest challenges. In Northern Ireland, this has only been amplified by the conflict, which has left many people with lasting mental scars.

Mrs Dobson and Mr McKinney mentioned the figures. One in four people in Northern Ireland has a mental health problem, with the region having a 25% higher risk of problems than England, for example. A significant portion is directly related to trauma experienced during the conflict, with over 213,000 people dealing with mental health issues. As Ms McLaughlin mentioned, further figures note that, between 2008 and 2014, actual spending on mental health services was 25% less than it was in the previous period. Certain figures quoted in today's debate continue to paint a grim picture of our current position regarding mental health aid.

As Mr McKinney and others said, the 2007 Bamford review heralded a new understanding that mental ill health was not only widespread across the region but, further, that it needed serious planning and funding obligations to meet the demand and create new positivity. Bamford held that:

*"people with a mental illness should be treated in the community, close to their families and friends, unless there is a clinical reason for not doing so."*

This goal was later reflected in Transforming Your Care. The Minister outlined the move towards treatment in the community when he mentioned the hubs. He said that these were based around general practice and involved cognitive behavioural therapy (CBT) and trauma therapy and evidence-based, recovery-orientated approaches.

Mr McCarthy mentioned Transforming Your Care and said that we need to reassess our priorities. Ms McLaughlin

mentioned the fact that funding for mental health is now 25% less in real terms, a point that I have already covered. It is frustrating for those involved in the mental health sector and those who rely on it to find that a lack of funding and continued cutbacks continue to stall progress on the Bamford principles. The scale of need recognised in the Bamford report and Northern Ireland's own unfortunate position was further recognised by the Heenan-Anderson Commission, which rightly identified that the legacy of trauma from the conflict could only be dealt with through a world-class, universal mental health system.

Dolores Kelly praised the professional staff involved in mental healthcare and the work of family carers and friends. She mentioned the need for smarter ways of working and referred to nurse prescribers, who she said are making an excellent contribution. Mrs Kelly also outlined the close connection between domestic violence and the mental health of women and children and emphasised the need to bring forward the sexual violence strategy. She also mentioned the experience of CAMHS in dealing with chronic alcoholism in people who are much younger than the past norm.

She said that that was a problem that needed to be addressed urgently. She also mentioned that the dementia services in her constituency last year had almost 3,000 referrals, which was a 36% increase on the previous year. That is obviously a problem that needs to be tackled.

#### 4.45 pm

The proper provision of a quality mental health service is not simply to address the needs of those affected by the conflict; it is for the common good of everyone in Northern Ireland, young and old. Access to properly funded services delivering the best care possible is critical to helping people to identify their own struggle and grants them the tools to manage their mental health. It is critical that the Assembly recognises the scale of mental health issues in Northern Ireland and that we do everything in our power to raise awareness and banish all the stigma that has been erroneously attached to mental illness in our society.

Mr Buchanan referred to stigma. He said that mental health services were often the Cinderella services of the health system, so it would be good if the Minister were to prove to be their Prince Charming. The truth is that we can talk easily of physical illnesses, even cancer, but there is still unwillingness to speak openly about mental health and well-being. As Mr Nesbitt said, it is time to take it out into the open and champion it in public to remove the stigma and make it OK to talk. Talking is often the first step towards mental well-being. I praise the work of the race against suicide, an island-wide voluntary strategy that seeks to emphasise that it is OK to talk. Recently, in my constituency, starting in Crossmaglen, we had the Slieve Gullion spin-off cycle, which made a tremendous contribution locally to highlighting mental health issues and suicide and urging people experiencing mental health difficulties to talk about them.

Mr McCarthy urged that the Mental Capacity Bill be expedited and resourced to the greatest extent possible. The Minister referred to it also and urged Members to bring the Bill forward and make it the best it can be. George Robinson emphasised the need for prevention and, where there is mental ill health, the need for early intervention. That was reflected by other Members. Jo-Anne Dobson

and Rosie McCorley mentioned the importance of retaining the Lifeline service intact. We in the SDLP support them in that regard. The Minister responded to that and outlined his plans. Many Members referred to the world-leading mental health trauma service. The Minister responded to that: he said that he would take a collaborative approach based on those who suffer because of the Troubles, including individual victims. He also said that there would be emphasis on governance and accountability and that the approach would be cross-sectoral in nature. Daithí McKay mentioned the high rates of suicide. He referred to the LGBT community and the trauma that members of that community suffer through bullying, self-harm and suicide. He referred to today's debate on equal marriage. The vote on that —

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

**Mr D Bradley:** — is a positive outcome, even though there was a petition of concern. It will give the LGBT community an uplift.

Thank you, Mr Deputy Speaker, for allowing me to contribute. I support the motion and the amendment.

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

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

*Resolved:*

*That this Assembly recognises that mental ill health affects one in four people every year; further recognises the importance of having quality services that are fairly resourced, trained staff to afford early access and support, and a focus on prevention, resilience and mental well-being; recognises the importance of rehabilitation, with clear objectives established for accessing mental health professionals, within 28 days and close to home; further recognises the importance of raising awareness, reducing stigma and discrimination in relation to mental ill health; urges broad support for the urgent implementation of the world-class mental trauma service announced by the Minister of Health, Social Services and Public Safety in September; and calls for the Executive to work in collaboration to make dealing with mental ill health a top Programme for Government priority.*

*Adjourned at 4.50 pm.*

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# Northern Ireland Assembly

**Tuesday 3 November 2015**

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Dickson:** On a point of order, Mr Speaker. You will be aware that, in recent days, there have been media reports about the DUP Tippexing a standard petition of concern form to you on various matters. This follows a similar accusation with regard to Sinn Féin earlier this year. There is a clear inference that individual Members are not using their personal discretion when it comes to completing such forms. May I ask you to investigate the efficacy of doing that and whether it meets the appropriate Standing Orders?

**Mr Speaker:** In fact, I was aware of that situation. Standing Orders and procedure are very clear. In the Speaker's office, we have to be satisfied that the signatures are genuine and that the petition of concern specifies the issue. That is as far as I am able to take this matter forward. Tippex on a sheet does not indicate anything that I can do anything about, so long as the signature that is visible is the genuine signature of a Member.

**Lord Morrow:** Further to that point of order, Mr Speaker, you say that you have looked at these signatures. Have you found any discrepancies or any reason for you not to accept them as anything but genuine and authentic signatures on the petitions concerned?

**Mr Speaker:** I understand why you have asked the question but, clearly, if I announced that it was a valid petition of concern, I was entirely satisfied.

## Ministerial Statement

### Access to Justice Review: Part II

**Mr Ford (The Minister of Justice):** With permission, Mr Speaker, I wish to make a statement on the access to justice review, part II.

Members will recall that, in 2011, I published the first access to justice review, which led to a comprehensive programme of work, with three strategic objectives for reform: improving access to justice; bringing legal aid within budget; and improving governance.

Much has been achieved in these areas in the intervening period. Reforms have been introduced that have helped to manage the cost of legal aid, including new fee arrangements in criminal courts and more appropriate levels of representation in the civil and criminal courts. Legal aid spend remains stubbornly high, but, without these changes, the costs would have been even higher.

Pilot projects have been run with the third sector, helping to shape how partnerships might operate to meet specific needs in the future. The Legal Services Agency has been created, complete with new appeal arrangements; and responsibility for exceptional grant funding has passed to the director of legal aid casework, removing the Justice Minister from any involvement in individual decisions.

More recently, attention has turned to the potential for reducing the scope of civil legal aid in areas where alternative provision is available or where public funding should be prioritised to the areas of most need. The introduction of standard fees for family cases is also at an advanced stage.

A pilot project to minimise unnecessary delay in care proceedings is now getting under way and should commence in January in Newtownards and Londonderry courts. Separately, under the banner of "speeding up justice", an innovative approach has been piloted in the Ards Crown Court division to progress indictable cases more swiftly. Early engagement between defence and prosecution practitioners, as well as the police and the prosecution service, has delivered real improvement. Of the cases concluded to date, the average number of days from incident report to sentencing was 97, compared to 175 in the same period last year.

However, access to justice is a complex issue and more needs to be done to maintain momentum. Over time, the wider environment has changed, and that is why I commissioned this follow-up review. The overall purpose of the review was threefold: first, to identify and



prioritise services where publicly funded advice and/or representation should be provided to meet human rights obligations, safeguard the interests of vulnerable people and meet the wider public interest; secondly, to consider the delivery models that might be best suited to the provision of publicly funded legal services through mechanisms other than legal aid; and, thirdly, to consider whether there are aspects of the justice system where efficiencies might contribute towards reducing the cost of publicly funded legal services while sustaining the quality of service provision.

I have now received a very comprehensive and detailed report. Today, I am pleased to publish that report and begin a period of public consultation on its findings and recommendations. I am very grateful to Jim Daniell and Colin Stutt for their time, effort and research over many months, and for their commitment to delivering a thought-provoking report. I also thank those who made contributions and offered views to the review. It is important now that all those who wish to comment let us have their views on the recommendations.

As I have said before in the House, fair and effective means of securing access to justice are essential elements of any civilised society. We currently have a comprehensive legal aid scheme — the report refers to it as world class — and we need to get the balance right to ensure that it is sustainable and that people who are most vulnerable are able to access the support that they need. There is a need to balance difficult decisions over the allocation of resources with new or more efficient and effective ways of delivering access and ensure that those who have the necessary means contribute to, or meet, their own legal costs.

The report provides a comprehensive analysis and makes some 150 wide-ranging recommendations. It starts by acknowledging that access to justice is a fundamental human right and that legal aid is an indispensable part of the system. I completely agree. It identifies the legally irreducible minimum for a legal aid scheme, but goes on to argue why it would be inappropriate to reduce legal aid in Northern Ireland to that level. It suggests a range of priorities for access to justice, but argues that those are not the same as priorities for legal aid. Against that backdrop, the report recognises the pressures caused by the demand for legal aid and the consequential need to identify measures to control expenditure, while minimising the impact on access to justice. It also recognises the potential for steps to be taken to improve the way in which justice is delivered. Some of the proposals could result in fundamental change and deliver improved efficiency and effectiveness.

I will consider very carefully the comments made by those who respond to this consultation. However, we cannot afford to let the period of consultation hold up the reforms that are already in progress. I will continue to take forward the development of a new standard fee approach for civil legal services, where the development of arrangements for family cases is at an advanced stage. In the longer term, I will wish to reflect on the views that might be expressed in the consultation on the proposal for a wider remuneration strategy.

I have already announced that I will remove most money damages cases from scope. I plan to progress this, but, in doing so, will consult separately on the alternative funding

arrangements recommended in the report. They have the potential to maintain, if not enhance, access to justice.

The report recommends some modest changes to the scope of legal aid. I have already consulted on some of these areas, and I will reflect on the specific comments in the report as I take this work forward. However, in one key area, it suggests that private family law should largely remain within scope, unlike the situation in England and Wales. I welcome this recommendation.

The report addresses issues such as eligibility for legal aid support; the opportunities to reduce or recoup costs through, for example, increased contributions; and changes in the statutory charge that will increase its effectiveness. I will consider each of these areas. However, as the recommendations in these areas concern ensuring that those who can afford to contribute to the cost of legal representation do so, they must be right in principle.

The report makes a number of recommendations on the structure and operation of the court system. It suggests a move towards a more inquisitorial system, and I will reflect on the responses to the consultation and consult the Lord Chief Justice on these suggestions.

The report also suggests ways of improving family justice procedures and practice, and this will feed into the work that the Lord Chief Justice has recently commissioned Lord Justice Gillen to take forward in respect of the civil and family courts.

Similarly, I will wish to discuss with the Lord Chief Justice the proposal for a working group to deliver efficiency measures in the criminal courts. The pilot project in the Crown Court, which I mentioned earlier, is clear evidence that positive change can be delivered in this area.

The report recommends that legal aid funding be retained for judicial review proceedings, and I welcome this. It is important that the actions of government bodies are properly held to account. However, I also welcome the recommendations for tightening up access to this intervention to ensure that it is accessed when appropriate, as well as the measures proposed to resolve disputes through alternative approaches.

The report makes a number of recommendations that impact the responsibilities of other Departments. There are, for example, recommendations in respect of public family law and mediation where DHSSPS has a role to play. In divorce and issues relating to the legal profession, the Department of Finance and Personnel has a role to play. I will wish to engage with the respective Ministers in addressing these issues.

This is a very comprehensive report, and I cannot do it justice in a brief statement. It is thought-provoking and, in parts, challenging. However, it has the potential to inform an agenda for change that will speed up the justice system, reduce costs and improve the experience of those who come into contact with the system. I encourage Members and the wider public to read it and engage with the consultation process.

**Mr Ross (The Chairperson of the Committee for Justice):** Access to justice is fundamental to any democratic society that values the rule of law, but there is little doubt that the current financial pressures mean that there are challenges to such access. It is therefore

incumbent upon us to look at innovative approaches to protect access to justice while reducing cost. That is precisely why I initiated the seminars on innovation in the criminal justice system earlier this year.

To that end, I particularly welcome the modest acknowledgement in the report that online dispute resolution systems could offer a potential solution. This is an area that I have personally promoted and that the Committee is keen to explore further. Does the Minister agree that such systems have significant potential to speed up the system; support through their justice journey citizens who cannot access legal aid or afford legal representation; and have the added advantage of reducing cost to the public purse? Will he give a commitment to take forward work in this area, including any recommendations prioritised by the Committee?

I also ask the Minister whether he intends to prioritise any of the areas covered in the report, particularly in the 150 recommendations. Will he seek views on what areas should be given priority during the consultation process? I further ask the Minister to provide an assurance that the consultation exercise will not be used to slow down and frustrate justice reforms that are absolutely necessary, and to outline the areas to which he believes this statement in the report refers:

*“Some aspects of the justice system of Northern Ireland have been remarkably resistant to change.”*

Finally, will the Minister tell us what level of contact Colin Stutt had with the judiciary, the Law Society and the Bar Council prior to publishing the report?

**10.45 am**

**Mr Ford:** I will try to respond to all those points, although my writing is perhaps not as fast as Mr Ross's questioning. I welcome the point that he highlighted about the justice innovation seminars that the Committee ran. I frequently talk about cooperation between the Department and the Committee, and I certainly welcome the Committee's work through those seminars. Unfortunately, I did not get to the most recent one, which looked at developing online systems and digital justice in certain ways, although I have had extremely positive reports on the seminar from officials who were present, as, indeed, I have had from the official who accompanied the Chair and the Deputy Chair to the Netherlands to look at its work earlier this year. I have no doubt that, as systems develop in different parts of the world, we can learn lessons in this area. If a system from the Netherlands is adaptable in parts of Canada, we may need to look at whether it is adaptable in Northern Ireland as well.

Mr Ross referred to prioritisation. When Members read the report, they will recognise that, of the 150 recommendations, some are overarching and strategic and others are relatively low-key and operational, not all of which fall to the DOJ. It is not possible for me to give a specific commitment as to how, for example, recommendations to the judiciary will be carried forward. As I said, I will discuss them with the Lord Chief Justice in the hope that the good work that he and Lord Justice Gillen have done in this area will inform the work of their colleagues to ensure that we continue to join up the system as far as we can.

I agree entirely with the Member that it is important that we get the consultation right and that it does not slow down the work that is under way. I give a commitment that my officials will continue to work through that.

It is not for me to comment on who Colin Stutt believes may have been resistant to change in the past. All I can say is that, over the past five and a half years, there has been a lot of change. Things have speeded up significantly. It has been a partnership that has involved the Department, including the Minister, the Committee and a number of other stakeholders, but, as we look at things, it is clear that we do not have unanimity across the justice system. I continue to hope that my officials, by engaging constructively with all our partners, will see that work enhanced. However, the reality is quite clearly spelled out in the report: we must make progress and see things moving forward, and we need to ensure that that is the case. My understanding is that, for Jim Daniell and Colin Stutt, that engagement started with a wide range of stakeholders. As the report was being done, there was an opportunity for people to comment at various stages. That will show that we are moving forward, but I now want to see the public response to the consultation.

**Mr Speaker:** As we move on, I make it clear that the Chairperson of the Committee gets a certain amount of leeway that is not available to other Members.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas agus cuirim fáilte roimh an athbhreithniú seo. I welcome the fact that the Minister made this statement and that the report is now in place. I also welcome the Minister's very strident comment that he sees access to justice as a fundamental human right.

There is a notion in the report about resistance to change. Does the Minister envisage that the recommendations will turn into an implementation plan that we can all see and track to ensure that any resistance can be easily identified?

**Mr Ford:** As usual, it is a pleasure to welcome a comment from the Committee's Deputy Chair as well as from the Chair. I thank him for his welcome for the outline of the statement.

The report is out for consultation, but work is well under way on developing an implementation plan on the basis that we can move on some issues relatively speedily. I will see that that work is advanced as fast as possible. The consultation period will be slightly longer than usual because it will include the Christmas holidays. The intention is that the Department will report back to the Committee with full details after the consultation period is over and well in advance of the election in order to set the tone, frankly, for the next Assembly mandate should legislation be required and to put administrative change in place as fast as possible.

**Ms Hanna:** I thank the Minister for his report. My colleague Alban Maginness is unavailable. Will you give us an assessment of the impact that you suspect the cutbacks might have on the advice sector?

**Mr Ford:** I thank Ms Hanna for being an able deputy for Alban Maginness. At least we did not get the barrister's view at that point. The key issue is to ensure that we make the best use of available resources, including the voluntary



advice sector. That is part of looking at alternative ways of resolving issues. I do not think that we need to look with great fear at what the potential will be there. There are certainly recommendations to reduce levels of higher representation — as, indeed, have some of the changes that have been made — for example in family cases, but we will still see the benefits of the lower-level work that is done by solicitors or advice centres, without necessarily having the same number of QCs on every case.

The important issue, as I said earlier, is to ensure that there is access to justice and that individuals benefit from early access, but that we do not necessarily fund adversarial court cases if they are not what really produce justice for the individuals.

**Mr Somerville:** I welcome the statement that the Minister has brought forward. Can he provide an update on the pilot project to speed up the family court system, including when he expects the initial findings to be known?

**Mr Ford:** I cannot give the full detail of that at this stage. There are a number of issues that relate to the way in which the family justice system operates and there are other Departments that are involved in that, but, certainly, as we look at the details of it, I am quite happy to say that I will write to Mr Somerville as soon as possible to give him the details he has asked for.

**Mr Dickson:** Thank you, Minister, for your statement. It is clearly part of your reforming Minister profile. Concern has been expressed about change to date and the potential changes in the future with regard to the number of people who may feel that they have to represent themselves in court — those known as litigants in person. Is there any evidence of that happening? How is the justice system going to cope with that, should it be a problem?

**Mr Ford:** I am happy to confirm that the last statistics I saw showed a reduction of something like 25% or 30% in the number of litigants in person appearing in court over the last four or five years, so they do not suggest that there has been any increase in litigants in person as a result of the changes that have been made in legal aid, a point that has been made at times but does not seem to have any substance at this stage.

I noted that there was a reference, although I do not think I could turn it up amongst the 270 pages at this point, to greater capacity for the use of the so-called McKenzie friends, who would assist individuals in court. I think that, if we are looking at fewer litigants in person and a greater ability for McKenzie friends to assist, we need have no fears.

**Mr Douglas:** I thank the Minister for his statement to the House this morning. I note the comments by Colin Stutt at page 71 of the report:

*“the remarkable thing about the cost of legal aid in Northern Ireland is not that it exceeds its budget, but that it has remained stubbornly high throughout the current period of austerity, almost as if it was protected to the same extent as health.”*

Does the Minister accept that there has been a failure to properly set realistic legal aid budgets and ensure that spend is as close to the budget as possible? What does the Minister intend to do to rectify the situation prior to the setting of the 2016-17 budget?

**Mr Ford:** It is quite clear, as Mr Douglas said, that the cost of legal aid has remained stubbornly high and has not significantly changed over the five years since devolution. I could say that what would have happened if we had not implemented some of the reforms, particularly some of the criminal reforms that we went through at an early stage, is that we would be looking at a further £20 million or more on legal aid costs at present. Of course, it can go up and down. As part of an initiative to reduce waiting lists, particularly in the Belfast area, the Lord Chief Justice assigned an additional Crown Court judge to Laganside Court a couple of years ago, with the result that the criminal backlog decreased very significantly and the cost of legal defence went up significantly because those cases were dealt with.

Those are the kind of things that happen. It is the law of unintended consequences. When we did something good to benefit victims and, indeed, defendants, by getting cases heard more quickly, there was a rush to put those legal aid payments through.

The reality is that we had the budget that we had when justice was devolved, and we have sought to work within that budget given all the other pressures across the justice system. I know that my officials, whom I will be having discussions with later today, are looking at the budgeting process for next year and at the balance between different aspects of the justice system. The figures that applied on the basis of the budget and the application of cuts by the Executive are inadequate to meet current legal aid costs, but legal aid cannot be protected for ever when other aspects of the justice system are seeing their budgets going down.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his statement. Can he elaborate on the research carried out to determine best international practice in the provision of legal aid in other comparable jurisdictions?

**Mr Ford:** I cannot give Ms McGahan the sort of blow-by-blow account of all the research that was done by Jim Daniell and Colin Stutt, but I know that they took every opportunity to look at other jurisdictions and see how matters were applied to legal aid there. The point is that it was not simply a matter of looking at legal aid; it was a matter of looking at access to justice and the best ways of ensuring access to justice for citizens, not just the best ways of managing legal aid.

**Mr Frew:** The report deals with a wide spectrum of access to justice. Is it not short-sighted and, indeed, short-termism to go through with the proposed potential courthouse closures, given the fact that our justice system has not been modernised and reformed to the extent that people will be able to benefit from technology and other means of quicker access to justice?

**Mr Ford:** I am slightly baffled by Mr Frew's question on two grounds. The first is that courthouse closures have absolutely nothing to do with the access to justice report, and the other is that the points that he highlighted about different ways of doing justice, particularly as we look at the smaller number of cases coming into courts, would reinforce the point that we do not need as many courthouses as we have currently.

I hope to report to the Assembly on the proposals for the court estate within a few weeks. When Members look at the number of cases going through the courts compared

to the numbers that went through five or 10 years ago, they will recognise that there is a very serious issue, which is that we cannot fund justice for our citizens if we are keeping roofs on buildings that are not needed.

**Lord Morrow:** In the Minister's statement, he welcomed the retention of legal aid for judicial reviews and further welcomed the recommendations for tightening up access to that intervention when legal aid is expended. Apart from the options suggested for resolving disputes through alternative approaches, will he advise whether the process of tightening up includes intended judicial reviews being more rigorously assessed at leave stage to ensure that the grounds, evidence and potential of a successful outcome are fully scrutinised in order to merit the spending of legal aid?

**Mr Ford:** The simple answer to Lord Morrow is that this is an issue on which I will be looking for responses in the consultation, but I can certainly sympathise with his general point.

As the recipient of a very significant number of judicial review applications, either personally or slightly at second hand, which, in many cases, revolve around the Prison Service, it seems to me that, at times, there are real questions as to whether matters should not be better assessed elsewhere and that leave might not be granted for a judicial review until all available means have been covered. I can think of one or two particular cases, which I will not go into the details of. It took considerable staff time and ministerial time to seek to resolve those cases when they might have been resolved just as easily in a slightly different and more informal way. There is an issue about getting the balance right with judicial reviews to ensure that decisions can be covered, but also to ensure that all appropriate means are exhausted first.

11.00 am

**Mr McCarthy:** I thank the Minister for his statement. Is it fair to say that the review report effectively endorses his strategy of introducing standard fee arrangements, which ensure that legal representatives receive payments that are appropriate for the amount of work done? Does the Minister intend to stick to that strategy in civil cases?

**Mr Ford:** I thank Mr McCarthy for the question. I believe that significant benefits have come through the introduction of much greater dependence on standard fees in criminal cases in the past. Members may recall my complaining in the past about the assessment of too many criminal cases as very-high-cost cases. That was one of the key reforms in Crown Courts that reduced expenditure and brought them down to a more manageable level on that side.

The report refers to standard fees being applicable on the civil side as well, and I believe that to be a much better way for individuals to know what they will be paid; for the Legal Services Agency to know what it will be paying out; and to ensure, as far as possible and allowing for the fact that there will always be exceptionality, that we depend upon standard fees for simplification and assurance as to what expenditure will be.

**Mr Allister:** The report seems to refer to our present legal aid scheme as "world class" and:

*"an indispensable part of our justice system".*

It states that it would be wholly inappropriate to reduce it to a minimum. That is not language that we are used to hearing from the Minister. However, he asked the reviewer to consider models to deliver publicly funded legal services through mechanisms other than legal aid. What mechanisms of that nature have been recommended? Is he still flirting with the idea of a public defender office?

**Mr Ford:** Had Mr Allister listened slightly more carefully, he would have heard that, whilst the report refers to us having a "world class" system of legal aid, I did not say that I believed it necessary to maintain the current system. I made the point that a decent legal aid system is a fundamental human right, but not everything within the current system will be. I also made the point that I welcome the fact that the report specifically says that we should not be going to the irreducible minimum. It is a fundamental human right that people should have a decent system. We need to look, as I highlighted and the report highlights, at a range of alternative dispute resolution.

I am not quite sure when I was "flirting" with a public defender system. The report makes it clear, and I accept the recommendation at present, that we should seek to maintain the current system for criminal defence. However, the reality is that adjacent jurisdictions have looked, at least in part, at a public defender system, and there are issues around management of costs that may well make that a necessary way in which this jurisdiction may have to look at some point in the future. If we can manage things under the current arrangements in a way that is affordable and sustainable, it is clearly the wish of many clients that they should have their full choice of a lawyer — and that is clearly the choice of those in legal practice, including Mr Allister himself in the past. We cannot guarantee that these things will continue in perpetuity, but there is a clear recommendation that there will be no change in that direction in the immediate future.

## Private Members' Business

### Children's Services Co-operation Bill: Final Stage

**Mr Agnew:** I beg to move

*That the Children's Services Co-operation Bill  
[NIA 44/11/16] do now pass.*

The Bill will place a statutory duty on children's authorities to cooperate with each other to better integrate the planning and delivery of children's services. The aim is to make the provision of services effective and efficient by ending the waste of silo working. The Bill will make good practice common practice, leading to better outcomes for children and young people.

It is four years since I had my first meeting with the Bill Office in relation to bringing forward this piece of work. It has been almost a year since I submitted the Bill to the Assembly at First Stage.

Undoubtedly, the Bill has evolved considerably since that original draft, and many changes have been made to the Bill since it was introduced at First Stage. That has been a result of consultation and, indeed, cooperative working with, among others, the Office of the First Minister and deputy First Minister, the children's sector and my team. The one thing that has not changed is the key intention of the Bill. That has remained consistent throughout. I have been delighted by the fact that those who engaged cooperatively in bringing the Bill forward and in amending it have done so in a way that has built on those original aims and improved the Bill and its effectiveness. As I acknowledged at previous stages, there was a fear that Departments, which, at one stage, may have been resistant to the Bill, would seek to water it down and undermine it. I am delighted that that has not been the case. Again, I place on record my thanks to the Office of the First Minister and deputy First Minister, in particular, for its work in relation to the Bill.

As far back as 2007, Eamon McTernan and Ann Godfrey published a paper on the need for an integrated children's system in Northern Ireland. My involvement with this policy proposal began when, as a researcher for Brian Wilson MLA, I represented him on the all-party group on children and young people. I am proud to say that, today, I am chair of that group. Back then, it was highlighted at a number of meetings that, whilst the 10-year strategy for children and young people was ambitious in its intent, there had been a poor record of delivery. Time and time again, reports were produced that said that a statutory duty to cooperate was required. That was included in reports by the UN Committee on the Rights of the Child; Queen's University; the Children's Commissioner, in a report commissioned by the commissioner on barriers to effective working for children and young people; the Criminal Justice Inspection, in its 2012 report on early youth interventions; and the OFMDFM Committee, in its report during the 2007-2011 mandate. A number of solutions were tried to improve delivery. They included the introduction of children's champions within each of the Departments and the ministerial subgroup for children and young people. More recently, it has included Delivering Social Change. Each was assessed as falling short of the fundamental

culture shift that was needed in the inter-working between the Departments.

The point at which the penny dropped for me as to why a statutory duty to cooperate was needed was when I was sitting on the all-party group for children and young people and we received a presentation from the Department of Education on the draft early years strategy. It was to be a fundamental strategy on provision for children aged nought to six. I asked what, at that time, I felt was a perfectly innocent question: what work is being done on the strategy with the Department of Health? I was told that it was a Department of Education strategy. When I realised that the Department of Education did not engage with children until they were three, at the very earliest, I realised that I was being presented with a strategy for children from nought to six, which started at age three. That was unacceptable; indeed, it was a draft strategy that was widely criticised and which never came to fruition because of its deeply flawed nature. The purpose of the Bill is to ensure that such strategies are prepared between Departments, with cooperation and engagement, where relevant, by each and every Department.

That very much outlines the policy issues, but, of course, the key question for many people will be this: what difference will the legislation actually make? Through my work on the Bill, I came across a number of case studies. I wish to highlight two that were brought to me. The first is from the Children's Law Centre, which stated:

*"we were asked to provide advice, assistance and representation for a child with excellent academic ability who has cerebral palsy and who attends a mainstream school. She uses a wheelchair and is able to walk with assistance. She requires regular daily physiotherapy in order to maintain her mobility and to access the wider curriculum. Due to the lack of cooperation between health and education and the resource implications for the ELB of conceding that physiotherapy was an educational need ... as well as a failure by the HSCT to provide for the child, this child was denied physiotherapy in a mainstream school, which she would have been able to access in a special school. She was expected to remain seated for 8 hours per day. This caused great distress and discomfort with the result that the child became acutely aware of her disability and her grades dropped considerably. The dispute carried on for over two years. The CLC commissioned a private physiotherapy report as part of ongoing legal proceedings in which we provided legal representation. Ultimately, after several hearings and lengthy negotiation, the matter was settled and arrangements made for therapy input. The child is doing very well at school, achieving excellent grades and engaging with all aspects of the curriculum. The unwillingness/inability of the health trusts to recommend and provide direct therapeutic support (in mainstream schools and increasingly also in special schools) and the concomitant reluctance of the ELBs to specify therapies as educational needs on the statement or to make provision at the school-based stages requires to be addressed. In our view, from a children's rights perspective there is no valid argument that can be made against a statutory duty to cooperate between health and education."*

In that example, we can see how something that may appear simple, such as physiotherapy for a child at school, can get bogged down in wrangling between two Departments in an effort, it would appear, to avoid having to provide the resources. Indeed, one of the key elements, which I will speak more about later, is the ability of Departments to pool budgets. In such a case, a single pool could be drawn down from, either from the Department of Health or the Department of Education, whichever is in the position to provide the service. That would avoid the wrangling that comes with Departments seeking to avoid costs when clearly they have a duty of care to a child or young person.

The next example comes from my constituency and is from a family in Bangor. It was highlighted in the media at the time, locally and regionally. The child, named Josh, has type-1 diabetes and is currently in primary school. His mum, Helen, had been totally frustrated at the time that it took to have adequate resources put in place to support him. The education board did not have the resources to get a report collated for his statement in a timely manner. In the end, it took nine months to complete the statement. In the meantime, there was no one to administer insulin to Josh, a type-1 diabetic child. In the end, staff volunteered to undergo training until a classroom assistant could be recruited. Recruitment took six months, and the training took a further three months. Helen believes that the Children's Services Co-operation Bill would have helped, as it would have required that her child be at the centre, with decisions made in his best interests. She thinks that there needs to be something in place so that schools have a duty of care to the child, with cooperation between the education and health sectors required.

That caused significant distress to the family. Again, the processes between the Department of Health and the Department of Education were not as efficient as they could be. It was well known to the Health Department that the child had diabetes. The school was informed. The education board was made aware well in advance of him starting school, yet, when September came, the provision was not in place, and much anguish and stress was caused to that family unnecessarily.

#### 11.15 am

So, what does the Bill do to improve the systems that are in place when it comes to these cases? The key element of the Bill is a statutory duty to cooperate on all children's authorities to improve the well-being of children. The children's authorities include the Northern Ireland Departments, councils, the health and social care trusts, the Health and Social Care Board, the Public Health Agency, the Education Authority, the Northern Ireland Housing Executive, the PSNI and the Probation Board for Northern Ireland. It is, effectively, the Northern Ireland Departments and the membership of the children and young people's strategic partnership.

While a lot of work was being done to have the good practice of the children and young people's strategic partnership enshrined as a statutory agency, that was not able to be achieved as part of the Bill. The final amendment could not be agreed on, but I am pleased that the Department of Health is considering bringing forward, as part of its own legislative framework, proposals to do just that. While it may not be achieved by this Bill, I hope

that the work that has gone into producing this Bill will see it achieved some time in the future. I know that the children's sector will be lobbying hard to make sure that that becomes a reality.

In the Bill, well-being has been defined by the six high-level outcomes that were in the 10-year strategy for children and young people and which had been agreed between government and the statutory sector. To provide clarity, the six outcomes became seven in the redrafting of the Bill and a further outcome was introduced in an amendment by Chris Lyttle to include equality of opportunity, and good relations. The other outcomes include physical and mental health; the enjoyment of play and leisure; learning and achievement; living in safety with stability; economic and environmental well-being; the making by them, ie the children, of a positive contribution to society; and living in a society which respects their rights.

In the spirit of the Bill, those outcomes were agreed cooperatively and have widespread support throughout the children's voluntary sector and, indeed, from the Children's Commissioner. One aspect of the Bill is that it allows amendments to be made to change those aspects of well-being. However, importantly, it also includes a requirement that consultation would be required before such changes could be made. That was important in order to give comfort to the sector that the aims and objectives that it works to will not be changed without its input.

The Bill also requires the Office of the First Minister and deputy First Minister to produce a children's strategy. The aspect of consultation is key to that. Any such strategy should be outcomes-based, and children and parents must be consulted in its preparation. Again, it is important that we have enshrined in the Bill, in effect, article 12 of the UNCRC; the right of children to have a say in decisions that directly affect their lives. I pay tribute to OFMDFM because this is an additional clause to the original draft of the Bill and it came forward from the Office of the First Minister and deputy First Minister at their suggestion. I welcome its inclusion in the Bill.

All along, I have been keen to highlight the importance in the Bill of the pooling of resources. If we are to make the delivery of children's services efficient, this is a necessary outworking. While the provision in the Bill is an enabling power to allow Departments to pool resources, I believe that a key check as to whether the Bill is implemented in the spirit in which it is intended is when Departments begin to pool resources where there are common objectives in relation to children.

I welcome the amendment from the Minister of Finance and Personnel, who stated at Further Consideration Stage that it would ensure:

*"The goal of a smarter, more streamlined and better targeted system". — [Official Report (Hansard), Bound Volume 108, p174, col 2].*

The evidence is there that integrated working can improve the efficient running of government. I ask that, in producing the procedures, the Department of Finance and anybody else interested in gaining a better understanding of pooled budgets and the difference between pooled and aligned budgets look to the guidance from the Department for Communities and Local Government, which I have found very informative in helping my understanding of how this



can and should work. I will give an example of where it has worked well in England: Brighton and Hove City Council made savings of a quarter of a million pounds in one year in its children's budget as a result of integrated working. The cost of foster care was reduced from £561 a week to £487 a week. This is not something that just sounds good in theory; in practice, when implemented, it produces results.

The Bill also requires reports on the operation of the Act: the first will be 18 months after the adoption of the children's strategy, and there will be further reports every three years thereafter. One of the questions consistently asked was this: if Departments do not cooperate, what will be the sanction? The reporting is a key aspect of holding Departments and Ministers to account, making them accountable to the Assembly and the wider public. There was debate about whether this should be an independent report, but the feedback was that self-assessment was an important part of ensuring the operation of the Bill. Indeed, the Children's Commissioner has the power to issue her own report if she feels that that is necessary. She has certainly indicated that it is likely that the commission will produce a report alongside that of the Office of the First Minister and deputy First Minister.

A key requirement of the report is reporting not only on what has been done but on where greater cooperation could be achieved and what other opportunities have been identified to improve cooperation. Megan Fearon's amendment added further accountability by requiring the Executive to take account of the report in their preparation of the Programme for Government. I welcome the amendment, which adds an extra layer to the Bill through its impact on changing the workings of government in Northern Ireland.

In January, over 40 organisations involved with children attended the launch in support of the Bill. They included Children in Northern Ireland, the umbrella group for many NGOs in the children's sector, and many of its members were in attendance; the Children's Law Centre, which today provided an example of how it sees that the Bill could impact on and improve children's lives; and the Children's Commissioner. It was the commission's research, along with other research, that helped to inform the Bill and produce the evidence that a statutory duty to cooperate was needed. All along, from when I first joined the all-party group for children and young people, I very much felt that this Bill was the children's sector's Bill. It is a Bill for children, but it is a Bill whose genesis rests in the children's sector. Its work, lobbying and research are what drove me to introduce it. I feel privileged to present the Bill to the Assembly today on the sector's behalf. I thank every organisation that has contributed to the Bill, whether through my initial consultation or the consultation by the Committee for OFMDFM. I thank them for promoting the Bill and lobbying the Departments.

I highlighted that, for me, the genesis of the Bill was four years ago. Whilst it has been a long and challenging process, that time has allowed those who at the outset may have been resistant to the provisions of the Bill to come on board and to better understand how it can improve their working and the outcomes for children in Northern Ireland.

I again thank the Office of the First Minister and deputy First Minister, which has worked consistently to improve

the Bill to make sure that it is as effective as possible. I am delighted that both junior Ministers are here today and that one of them will respond to the debate on behalf of the Department. I also thank the Department of Health and the Health and Social Care Board; a considerable amount of the Bill will have a direct impact on them. Again, they have worked constructively with me to get amendments to ensure that, from their point of view, the Bill is effective. I thank the Department of Finance and Personnel, particularly for its input on the pooling of budgets.

Furthermore, I thank the Committee for OFMDFM. I think that I presented to it on five occasions in total; indeed, before the legislation was produced in its original draft, it has engaged on the Bill from an early stage. The questions and scrutiny have been constructive and instructive. At all times, the Committee has challenged but also supported me through the process. The Bill is better for its input and, indeed, for the report that it produced and the evidence that it took as part of its sessions. I also thank the Assembly Bill Office. Going back four years, it was clear that this would be complex legislation, and I have received excellent guidance through the process. We have faced frustrations with drafting and, if it had not been for their continued support, the Bill would not have seen the light of day. Finally, I thank my former researcher Ross Brown, now an elected rep in his own right, for the considerable research that he did in pulling together the evidence to show that, where a statutory duty has been implemented elsewhere, it has achieved results.

The intention behind the Bill is to improve services in a number of areas, including special educational needs and children in care. A final "Thank you" goes to VOYPIC, which has been constructive in its input on and support for the Bill. I hope that the Bill will improve early years provision by making the delivery of services more timely and allowing for the early intervention that is so key in children's lives. I hope that it will help to build on the work of the Children's Commissioner in highlighting the parallel processes between health and education in the transition to adult services for children with various support needs and, indeed, the youth justice system, where, on release, support with housing and education is required with the Department of Justice. I hope that it will improve those interdepartmental workings.

The Bill is about making government work effectively for children. It is about making good practice common practice and ensuring that resources for children are spent on children. I commend the Children's Services Co-operation Bill to the House.

**11.30 am**

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

I thank Mr Agnew for his opening remarks and welcome the Final Stage of the Children's Services Co-operation Bill. As I said at an earlier stage, with the OFMDFM Committee's experience of bringing forward the Public Services Ombudsman Bill, we all have some appreciation of the time and effort required to bring a Bill through the House.

Committee members heard support for the aims of the Children's Services Co-operation Bill from a range of stakeholders during its examination at Committee Stage. However, concerns were expressed at an early stage by

officials from the Department that the Bill as introduced to the Assembly would not meet its own objectives. The Committee is aware that, throughout Committee Stage, significant work was undertaken by departmental officials, who engaged with the Bill's sponsor and stakeholders to consider how the Bill could be improved.

Unfortunately, a final set of amendments was not available by the time the Committee undertook its clause-by-clause scrutiny, although the Department had provided a revised draft of what the Bill could look like. While supportive of the principles, the Committee opposed the clauses of the Bill as drafted. Members were supportive of the direction of travel outlined by OFMDFM in relation to a number of issues, but that support was, of course, subject to sight of any final amendments. The Bill before us today at Final Stage has been amended significantly from that which was introduced on 8 December 2014, and, indeed, it reflects some of the changes that had been considered by the Committee in its engagement with departmental officials.

I commend Mr Agnew's willingness to listen to others and to bring forward changes that should, ultimately, strengthen the legislation and deliver better services for our children and young people.

I will now make some remarks in a personal capacity, beginning by noting that the official papers that accompany the legislation remind us that the background and policy objectives go back 15 years to the tragic death in London of Victoria Climbié, a nine-year-old who was tortured and murdered by her guardians in 2000, and the shocking revelations at the time that many people had noted that she had signs of abuse. Local churches knew of her and knew of the signs of abuse; the health service knew of her and knew of signs of abuse; the police knew of her and knew of signs of abuse. Equally, the NSPCC and no fewer than four local authorities knew, and none acted. Victoria's case led to the public inquiry by Lord Laming, and, from that, the introduction at Westminster of the Children's Act 2004.

Here in Northern Ireland, I remember well one of the first cases that I dealt with as a journalist at Ulster Television. It was of a man who had been released from jail having served time for child sex abuse offences and yet had managed to get himself a job that included taking charge of a residential home in the Mourne where vulnerable young people went for respite care. It happened because the statutory agencies and the community and voluntary sector agencies that were aware of him at that time had no legal obligation to share information. Sharing and cooperation is at the heart of Mr Agnew's Bill, covering much more than child protection and, hopefully, tackling poverty. We are aware in the House of the high and increasing levels of child poverty and, indeed, of the recent case brought by the Committee on the Administration of Justice against OFMDFM for its failure to bring forward an anti-poverty strategy.

The intent of the Bill is consistent with my thinking and the Ulster Unionists' thinking on the best way for government to deliver positive outcomes, breaking away from the traditional delivery through vertical silos, where you have a Minister of Education, a Minister of housing and a Minister of health services operating in isolation, and remembering that it is not about education but about educational opportunities for people, social housing for people, health services for people, people who need us to cut through the vertical and start delivering horizontally through all

the layers, Departments and silos of government to offer a holistic and individual package that meets their needs. That is why we are so pleased that the Stormont House Agreement recognised the advantages of, after the next election, setting aside time to discuss and, hopefully, agree a Programme for Government ahead of running d'Hondt, at which point the parties and the Ministers retreat into those vertical silos.

I believe that, if we create space for a fortnight's talks, we can make the space and time to agree a Programme for Government that will look horizontally at the issues. For example, if we consider that we want to tackle educational underachievement, we will agree that it is not just a matter for the Minister of Education. We know that healthier children will do better at school, and so there is a role for the Department of Health. We know that children need good housing, and so there is a role there for the Minister for Social Development. And so on and so forth. The Bill is consistent with our view of how you deliver the best positive outcomes from this devolved Government for the people of Northern Ireland, and I will be most interested therefore in seeing how Mr Agnew's Bill, in the sharing of resources and the pooling of funds, makes a positive difference for our young people as we go forward.

Mr Agnew made it clear in his remarks that the Bill is not perfect in his eyes. That is not actually the point. The point is that it is moving in the right direction. It is not just me, the Committee or the Department saying that; the practitioners and stakeholders believe that the Bill broadly pushes in the right direction for better results.

Towards the end of the last mandate, I heard an Executive Minister being pressed as to why they had not made a decision on a particular issue, and they defended their position by saying, "This is a very important issue and, therefore, we must take the time to make the right decision". I think that, in life, there is very often not a right decision. I think that, in life, there are very often a number of options, all of which may advance matters but all of which also have downsides that need to be managed. Therefore, it becomes a judgement call. I think that that is the case with the Bill, and my judgement call is that it moves matters in the right direction. It quite possibly has downsides that will need addressed. The Bill has reporting mechanisms, so we can look at continuous improvement. This is not an end but a beginning of a new process, and I very much believe and hope that it will deliver better outcomes through forcing, demanding and expecting cooperation from Departments and agencies for the benefit of our children and young people. On that basis, I support Mr Agnew's Bill.

**Mr Moutray:** I rise on behalf of the DUP to support the Final Stage of the Children's Services Co-operation Bill as introduced and brought to the House by Mr Steven Agnew and the subsequent changes at each stage throughout the process. At the outset, I commend the Member for his work, and I am happy to say that the DUP supports the policy intention behind the Bill.

We all want our children and young people to be involved in decision-making and want there to be a statutory duty on government and its Departments and agencies to cooperate in the planning, commissioning and delivery of children's services. There is a duty on Departments to cooperate with each other in the planning, commissioning and delivery of the children's services, and it will enhance

the ability of pooled budgets, which ultimately allow for a resource-efficient way of delivering shared aims and outcomes.

I spoke on the Bill some time ago in the House and highlighted the Scottish model, Getting it Right for Every Child, which was aimed at promoting and coordinating across organisational and departmental boundaries to put children and young people at the heart of decision-making and give them the best start in life. I believe that, with the amendments and the reworking of the Bill since its initial form, we have been able to ensure that we, too, in Northern Ireland are able, like our Scottish counterparts, to connect sector providers with government so that people work collaboratively to deliver. Our aim, as a Government, should be to help children and young people reach their full potential. Some will travel through life with little or no issues; others will experience challenges; and, indeed, some will experience very complex issues. We must not be found wanting in our attempts to assist them come what may. I want every child and young person, as it says in the Bill, to be healthy; to enjoy learning and achieving; to be able to live in a society with stability; to experience economic and environmental well-being; to contribute positively to a community and society; and to live in a society that respects their rights. I support the Bill.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to speak on this Bill. I start by congratulating Steven Agnew for all his hard work in bringing this important piece of legislation forward. It has been a long road and a lot of hard work by a lot of people, as he said. He mentioned that it was four years since the beginning of the Bill. It is a win for him and for the children's sector today. I regret that I was not able to be here for Further Consideration Stage. I thank my colleagues for moving my amendment about the Programme for Government. I am pleased that it was passed.

This is a good Bill. It will have a great impact on society and the lives of our families and children. I am sure that we all received a letter from CiNI outlining its support for the Bill and giving a real-life example of how this Bill could have helped a girl many years ago. That shows us the importance of putting the interests of our children first. I welcome the fact that the Bill will make existing good practice in cooperation normal practice — or common practice, as Steven Agnew put it. We achieve our best results when working together. In a political sense, yesterday's result shows that.

A lot more work has to be done on this Bill, because a few issues could not be resolved in time for each stage. I am more than happy to continue to work with Mr Agnew and whoever within the children's sector or the House to progress those issues and make this the best Bill possible in the future. I am looking forward to the report on the operation and results of the Bill in less than two years' time, and to see how we can learn from and improve on that. We have all been frustrated at one point by the silo mentality of government. I am hoping that this Bill will change mindsets in that regard. I would like to see the roll-out of this collaborative approach to other important areas of government such as job creation, economic growth and tackling poverty, as others mentioned.

I am happy to support the Bill and glad to have played a part. Again, I congratulate Steven. It is a good day for our families and children, and a well-deserved win for the

children's sector. I also welcome the new junior Minister to the Chamber.

**Mr Attwood:** In his opening remarks, Mr Agnew referred to the fact that in 2007 there was a policy proposal in relation to that which is before the House today. It has taken eight years to get from there to here, which is far too long. However, in a society that clings to the past and resists change, it might not have been so long after all.

Like everybody else, I acknowledge Mr Agnew's particular and personal contribution to creating the space and working the ground in relation to what will be known as Agnew's children's Bill, which is about not just his children but all our children across Northern Ireland. As he also rightly pointed out, more importantly than that, it is the children's sector children's Bill. For the 40 organisations that gathered with him when he launched his consultation on the content of the Bill, it is a measure of their work that another good private Member's Bill will pass through the House today.

Mr Agnew asked what difference it will make. He said that there needed to be a culture shift, and that is what is going to be required. In order to bring about a culture shift — as we know in relation to other embedded issues in our society, both current and historical — you need good law, robust process, strong leadership, clear accountability and strong performance. If any of those pillars are missing in how this legislation is now taken forward, there will be gaps in measuring up to the needs of children and young people.

For that reason, in acknowledging the presence of the new junior Minister in the Chamber, I will also ask her a number of questions.

There will be two in particular. This Bill will receive Royal Assent, probably before Christmas, and will become a statutory duty of government into next year, the next mandate and beyond. So, I have two questions for her.

#### 11.45 am

First, at Consideration Stage — when the Alliance Party tabled an amendment in relation to, I think, clause 2, which referred to equality and good relations — I, and I think maybe others were thinking it, expressed a little bit of caution. We now have a situation where the principles that govern practice cover a wide range of children's needs and welfare informed by international instruments. We also have a reference to good relations and equality. Given that this has been introduced and is the will of the Assembly, and given the nature of those concepts, can she confirm that she and OFMDFM are satisfied that there will not be any unnecessary tensions within those principles arising from the good sentiment that informed the Alliance Party amendment in respect of equality and good relations? These are very big concepts. At times, the balance between, or the hierarchy of, equality and good relations has been a matter of some discussion if not dispute. I would like to hear from the junior Minister how she anticipates the principles being worked through in a way whereby there are no inherent tensions. I think that that can be dealt with, but I would like to hear from the junior Minister in that regard.

I come to my second question. This will all be measured in practice. The paint is not yet dry on the content of the Bill. However, given that a body of officials have been working on this, thinking about this and working with Ministers



in relation to all of it, can the junior Minister indicate if there is now some further thinking about how this will be mainstreamed into the life of OFMDFM and, thereafter, mainstreamed into the life of government? In that regard, given that there is ongoing work, as I understand it, in respect of the Programme for Government and that we are a short number of months from the next Assembly election, if it is not earlier, how does the junior Minister anticipate this Bill and the obligations placed on government being mainstreamed into the next Programme for Government? If the Bill is passed today and receives Royal Assent by Christmas, it will be tested in real time and very quickly, given that there is about to be a new mandate and there will be agreement in relation to the content of the Programme for Government.

In conclusion, I acknowledge the work of the Bill Office. If you look at the Assembly's programme of work for the next number of weeks, you will see that there is less and less private Member's business, if any, and more and more business of legislation. The responsibilities that fall to the Bill Office, especially at the end of a mandate, are very substantial. The fact that this has progressed from Mr Agnew's opening meeting in January to a Bill being passed in early November is a measure of the good authority of all those involved, not least the Bill Office.

**Mr Lyttle:** I welcome the opportunity to respond.

The Alliance Party has had an Assembly manifesto commitment to support legislation that would introduce a statutory duty for all Departments to cooperate and collaborate. That is needed across a wide range of issues, but perhaps most notably in relation to children and young people's issues. It is for that reason that I am glad to welcome the Final Stage of the Children's Services Co-operation Bill and, like others, commend its proposer, Mr Agnew. It has been a pleasure to work closely with Mr Agnew on children and young people's issues, most particularly as members of the all-party group on children and young people. All-party groups sometimes get a hard time in the Assembly, but the all-party group on children and young people has shown itself to bring together elected representatives across parties, organisations and Departments on key issues affecting children and young people, and it is achieving outcomes as a result. I also acknowledge the work conducted by the Office of the First Minister and deputy First Minister and its officials in relation to enhancing the provisions of the Bill; the Committee for the Office of the First Minister and deputy First Minister, of which I am Deputy Chair; and the hard work of the officials at Committee Stage.

I acknowledge the contributions of all elected representatives who have contributed to making the Bill a strong mechanism to ensure more effective government delivery for children and young people across Northern Ireland. I also welcome the presence of the junior Ministers to respond to this stage of the Bill today. I congratulate Emma Pengelly on her appointment as junior Minister in the Office of the First Minister and deputy First Minister. I am glad that I have the opportunity of knowing Emma beyond the Assembly. I have a good working relationship with her. She has received scrutiny further to her appointment that, at times, has spilt over into unfair and inappropriate criticism, but no doubt she and I will continue to have robust exchange and scrutiny opportunities beyond today's debate.

There have been problems related to the coordination of the planning, commissioning and delivering of children's services. The Bill will make a significant contribution towards addressing those, and to the development and implementation of strong policy and legislation for children and young people. The centre for children's rights at Queen's University and the Children's Commissioner conducted work to investigate barriers to effective government delivery for children. They identified the need for stronger working together and joined-up government in relation to those issues.

There are significant ongoing inequalities and challenges to address for our children and young people in terms of child poverty, health and educational achievement in order to ensure that they have the opportunity to live in a safe and shared society. It is my hope that the Bill will make a significant contribution to meeting those challenges. The UN, as I have mentioned at other stages of the Bill, has warned that the failure to achieve positive outcomes for children is one of the most costly mistakes that a society can make. The Alliance Party will continue to work collaboratively with all elected representatives and political parties, and in government, to ensure that we do not make that mistake in Northern Ireland and that we work to deliver for our children and young people. I commend the Bill to the Assembly.

**Mrs Overend:** It is my pleasure, as the Ulster Unionist spokesperson for children and young people, to support the Children's Services Co-operation Bill in its Final Stage today. I congratulate Mr Agnew on bringing it forward and pursuing such good aims and objectives.

The lack of cooperation and joined-up government has shown to be of detriment to the people of Northern Ireland time and again. With issues relating to children, failings in their early years have the potential to have an effect on the rest of their lives. I am sure that no MLA, in their work for constituents and in dealing with various and numerous issues, has failed to see the gaps and the failures of Departments in not working together. Most memorable to me are the many delays that children experience in relation to statementing for special educational needs. In those instances, it is essential that the Department of Education and the Health Department work effectively and efficiently together in a timely manner. Often, that is not the case; delays are experienced, and the result is that the child does not receive the help and support they need at the time in their development when they need it most.

I understand that various children's representative bodies support the legislation, not only in the implementation of policy but, importantly, in the making of policy and strategies. Indeed, the chief executive of Children in Northern Ireland, an umbrella group that has already been mentioned, has written to me and, I am sure, many other Members. She said:

*"In recent years in Northern Ireland, critical chances for better outcomes for children and young people have been missed as key strategies have been insufficiently developed, implemented or integrated across government departments. So much more could be achieved for children and their families if there were greater levels of co-operation in policy design and implementation across government departments."*

It is my hope that, when Departments finally get round to pulling together a cross-departmental strategy for Internet safety, the Bill will make such policy streamlined and effective and there will be natural cooperation on all these matters. The issue of Internet safety is cross-cutting. The Department of Education is responsible for children in schools and youth services; the Department of Health is responsible for safeguarding children and young people; and the Department of Justice needs to sing from the same hymn sheet in relation to laws, sentencing and deterrence.

It seems to me that, so far, the Office of the First Minister and deputy First Minister is not taking responsibility for overseeing such a cross-cutting strategy. It is my hope that this legislation will impose proper checks and balances in that regard. At this stage, I welcome the new junior Minister to her post; it is good to see her in the Chamber this morning.

I am content with the reporting responsibilities contained in the Bill. Good results should be prevalent in the report, and it is necessary that children's authorities work with the Executive Departments in its preparation and, furthermore, that it should include recommendations and opportunities for future cooperation. I am pleased that it will be live legislation, so to speak, with potential for improvements as time progresses. I support the Bill: it is an opportunity to set aside the silo mentality of Departments and work together for the benefit of children's services in Northern Ireland. I hope that such work will be catching and will spread across other sectors in the Assembly.

**Mr Speaker:** I welcome and congratulate Emma Pengelly on her recent appointment and call on her to respond to the debate.

**Mrs Pengelly (Junior Minister, Office of the First Minister and deputy First Minister):** Thank you, Mr Speaker. I welcome the opportunity to speak on this important matter. First, I commend Mr Agnew for the work he has undertaken to bring the Bill to Final Stage. He has acknowledged that there were some serious initial concerns about the Bill, but we appreciate that it has been significantly revised since it was introduced in December and that many of the amendments were a result of Mr Agnew's constructive collaboration with the sector, with Departments and particularly with the Office of the First Minister and deputy First Minister. There is no doubt that the Bill has been improved by the amendments, and many of the concerns that were raised by Members at Second Stage have now been addressed. The Bill before the House today is now clearly focused on ensuring that all relevant bodies work together to improve the well-being of our children and young people. We understand that the Office of the Legislative Counsel has supported the work on the amendments and informed the thinking of officials and the Member as the Bill has been revised. As always, the expertise and knowledge of counsel is greatly appreciated, and the Bill is better for its valued contribution.

OFMDFM, the Executive and, I am sure, everyone in the Assembly want to see our children and young people achieve their potential. We want them to be healthy, achieve in education, have time and space to play, experience economic well-being and contribute positively to society. Those goals transcend normal departmental

boundaries, and, in fact, I believe that they transcend normal party political boundaries.

No Department, agency or organisation can on its own improve the well-being of our children and young people. The issues facing our children and young people are so vast and varied that an holistic approach is required, and cooperation and collaboration are key. Of course, there are already examples of good practice in government. The Delivering Social Change framework driven forward by the Office of the First Minister and deputy First Minister has encouraged Departments to work closely on the delivery of schemes such as the family support hubs, the numeracy and literacy scheme and the nurture units, delivering over £36 million worth of anti-poverty programmes in the last four to five years. The early intervention and transformation programme has also involved a number of Departments working on the co-funded delivery of better outcomes for children. It is now important that we work together to turn that good practice into common practice.

## 12.00 noon

It is clear that the Bill's intention is to ensure that organisations work better to deliver better outcomes to support better lives. The definition of well-being in clause 1 is welcome, given that it aligns closely with the current children and young persons strategy. It also provides a clear purpose to the duty to cooperate prescribed at clause 2. The issue of well-being in our policy work is something that we are actively exploring for further application.

The Bill places a number of duties on the Executive. They will be expected to introduce arrangements to promote cooperation, to develop a new strategy for children and young people and to report on progress in the achievement of key outcomes. In each of those duties, it is important that the focus remains on the well-being of the child or young person. The strategy and progress reports must focus on continually improving well-being. That is all the more welcome as the Office of the First Minister and deputy First Minister has been at the forefront of some exciting and innovative work in driving forward outcomes-based monitoring and outcomes-focused policy development.

The Bill provides potential opportunities for authorities to pool budgets in order to carry out activities that improve well-being. In a time of reduced budgets, it is important that Departments consider innovative ways of achieving outcomes with less funding. We welcome the amendment tabled by the Finance Minister that will allow DFP to produce further regulations on the issue. That should provide greater clarity for bodies wishing to pool budgets and ensure that the practice is not undermined by poor procedures.

I turn briefly to the points raised by Mr Attwood. On the good relations and equality duty, the relationship between section 75(1) and (2) is well established, and I know that the Member is well aware of that. I am confident that there will be no difficulty. Section 75(2) is, of course, without prejudice to section 75(1). However, the good relations duty is a severable duty on all public authorities. Sometimes, that can be overlooked, but I believe that the perceived tension between section 75(1) and section 75(2) can easily be addressed.

Mr Attwood asked about mainstreaming. In my view, the Bill is entirely in line with the work that we have been doing in OFMDFM on collaborative design or co-design, as it is known, and on collaboration on a cross-departmental and cross-agency basis. It is in that context that the Bill is, if I may use the term, pushing at an open door. I am confident that it can be mainstreamed in the next Programme for Government because that is the context in which we are developing a range of new initiatives.

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

**Mrs Pengelly:** Yes.

**Mr Attwood:** For the first time; not for the last time.

I hear what the Minister says about pushing at an open door, but I think that the sense of the Bill, in many places, is that it should be a game changer and that that should be manifest in a qualitative change in the relationships between government and agencies in respect of the statutory duties and a qualitative change in how the Programme for Government is shaped around those duties. Do you acknowledge that that might be the ambition that people have, whilst noting the work of OFMDFM in that regard to date?

**Mrs Pengelly:** As the Member is aware from many long hours of negotiation, I am not somebody who gives way very easily.

I do not think that we really want there to have to be a statutory duty for people to cooperate, and I suppose that that is what I am trying to get at. A statutory duty in that sense is the last resort. We want agencies and Departments to want to work together to reach better outcomes for our young people. I believe that, in the work that we have carried on through the Office of the First Minister and deputy First Minister, we see that change starting to permeate across Departments and agencies. I think that it is a change of culture, as opposed to one necessarily of statute. I absolutely welcome the Bill — it is a useful contribution to that — but we will continue to work our hardest to ensure that there is willingness at all levels to cooperate and collaborate fully on these important issues.

If the Bill is supported by the House today — I understand that it will be — that will be only a first step. Consideration will be required of how cooperation can be promoted and integrated working supported. A key element of that will be getting the next children and young people's strategy right. Work is already under way in the Department on the next strategy, given that the existing one concludes in 2016. It is therefore timely that this legislation has come into play. The new strategy will be expected to consider the key issues facing children and young people and outline how government will work collaboratively to improve the well-being of our children and young people. OFMDFM wishes to develop the new strategy through co-design and engaging with Departments, external stakeholders and children and young people throughout the process to gather views, test assumptions and develop an agreed approach.

The Bill has highlighted the need for better cooperation in this vital policy area. The range of outcomes that we wish to achieve for our children and young people can be realised only if we all work together. Mr Speaker, I support the Bill.

**Mr Agnew:** I thank the House for its consideration of the Bill from the preliminary stages, when the Committee for

the Office of the First Minister and the deputy First Minister took an early interest in the Bill, until today, when there appears to be unanimous support for it.

In his contribution, the Chair of the Committee brought our attention back to the horrific case of Victoria Climbié, which caused a culture shift in England and led, ultimately, to the Children Act 2004 on the back of Lord Laming's report. It was to that legislation that I looked originally when seeking to produce this Bill. We do not want such horrific cases to happen again — I will not go back over the details, as they are considerably upsetting — and preventing that type of atrocity through better joined-up working by our services is certainly one of the key aims of the Bill. Mr Nesbitt highlighted that it is not about Ministers, Departments or institutions; ultimately, it is about the people whom they are set up to serve. The Bill is about ensuring that the child is at the centre of the work that Departments do.

Mr Nesbitt highlighted the benefit of agreeing the Programme for Government before d'Hondt is run — it was part of the Stormont House Agreement — and of how agreeing how each Department will work before we know which party will take each post could improve governance in Northern Ireland. I do not think that is in doubt or that any of us here would deny that we can improve how we do governance in this part of the world. This Bill, along with that proposal, should it be implemented, the work on John McCallister's private Member's Bill and, indeed, when it comes forward, the Bill to reform the number of Departments, can be another significant step in the evolution of the Assembly and in how we deliver for the people of Northern Ireland. Change is needed, and, collectively, those proposals can improve the effectiveness of these institutions. There is a public perception — I think it is an accurate one — that the institutions are not as effective as they could be. We only need to look at Scotland to see how much more their devolved institutions have been able to achieve for their people to recognise that we can and should do more in Northern Ireland. I hope and believe that this legislation will play its part in that.

I will reflect on some other Members' contributions. Mr Moutray — I thank him for indicating his support — talked about the Bill as a resource-efficient way of delivering shared aims and outcomes among the Departments. Indeed, he mentioned the good work in Scotland. I took time to meet the children's Minister there. She happens to be an old friend, but, on this occasion, it was purely a business meeting to see the work that they have done on their Children and Young People Act. Again, that was government legislation, and there is much in it that we can look to in how we deliver for children, not least one proposal that I was impressed by, which was having a named person for all children. That is something that we should look to in this Assembly to ensure that every child has a named adult to whom they can go for support in navigating the statutory services.

Megan Fearon recast my phrase about making good practice common practice by saying that we should make good practice normal practice. I like that phraseology: we should make the good normal. Delivering for children should be what we do. She also said that it was a good day for children and families. Again, I welcome her support.

Mr Attwood said that this was Agnew's children's Bill, and he said that it should be about more than my children. I

absolutely agree: as a father of young children, I see the challenges for parents in navigating statutory services, and I understand the frustrations. He is right in saying that this is about all children in Northern Ireland. We often talk about vulnerable children, but let me be clear that this is about all children. It is to ensure that there are no gaps through which vulnerable children can fall. When we provide the net for all, we catch all, including vulnerable children. It will ensure that those who need the support get it, because, often, we spend too much time trying to identify who the vulnerable are and not enough time providing the services required.

Chris Lyttle spoke of the work of the all-party group on children and young people. That is an important point. The group is not a formal mechanism of the Assembly, but it provides vital input into the work that we do. I hope that, on this occasion, it provides an example of politicians listening, because it was through that forum that the idea of having a private Member's Bill came forward. It shows that, through civic engagement, the Assembly can deliver more. Undoubtedly, politicians do not have a monopoly on good ideas. We should listen and engage, and legislative change such as this can come about as a result.

I welcome Sandra Overend's support, and I commend her because she highlighted the work that she is doing and the important need to improve Internet safety and how the aim of protecting and safeguarding children can be achieved only if Departments such as Health, Education and Justice work together in common cause.

Excuse me, Mr Speaker, I have too many notes. Finally, I welcome Ms Pengelly to her role as junior Minister. I welcome her contribution to the debate today and, indeed, any work that she did on the Bill in her previous role, when I was working with the Office of the First Minister and deputy First Minister. There was a collective effort in that office to improve the Bill. I welcome the commitment that this is pushing an open door and this is the direction of travel for the Department.

She said that it is really just the start, and that is key. The passing of the legislation is not an end in itself. The end is the effective delivery of services to children.

## 12.15 pm

It is incumbent on this Assembly in the mandate's remaining time and particularly on the next Assembly to scrutinise the work of the various Departments to ensure that the Bill's potential and vision are realised. I hope to be in that Assembly to scrutinise the work myself, but there is the small matter of an election to fight before then, so I take none of those things for granted. However, I have no doubt that, whatever Members are elected to the next Assembly, in conjunction with the children's sector, there will be a great deal of scrutiny of the delivery of the next children's strategy and the next Programme for Government, particularly its provisions for children.

I will finish by repeating a quotation that I came across when I was doing my research for the Bill. A parent was asked what integrated working meant to her, and she replied:

*"Integrated working is not having to repeat myself 30 different times to 30 different officials."*

If the legislation can achieve that objective, it will be well worthwhile and will ensure that families do not face the frustrations of silo working and the lack of joined-up government that we have seen in the past.

I thank Members for their contributions and their support. I thank all those who contributed to bringing the Bill this far. I look forward to it receiving the support of the House today and Royal Assent in the near future.

*Question put and agreed to.*

*Resolved:*

*That the Children's Services Co-operation Bill [NIA 44/11/16] do now pass.*



## Post-primary Transfer Process

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

**Mrs Overend:** I beg to move

*That this Assembly notes that a solution to the post-primary transfer process has not been found; further notes that a one-size-fits-all educational system will not work; believes that it is becoming increasingly unacceptable that, every year, thousands of young people are sitting unregulated transfer tests and that primary schools are placed in the difficult position of mediating between parental demand and Department of Education policies; further believes that the ongoing politicking of the issue does not address the seriousness of the matter; and calls on the Minister of Education to convene talks with all the major stakeholders in order to build consensus and agree a way forward on the issue.*

As the Ulster Unionists' education spokesperson, I commend this afternoon's motion on the post-primary transfer process to Members.

On Saturday morning coming, thousands of 10- and 11-year olds will go into 35 grammar schools all over Northern Ireland to sit the first of three common entrance assessment exams, organised not by the Department of Education but by the Association of Quality Education (AQE). The fee is £46. In two weeks' time, on 14 November, the Granada Learning (GL) assessment, sponsored by the Post Primary Transfer Consortium (PPTC) will take place in 35 schools. Some schools are using both the GL and AQE tests, so some 10- and 11-year-olds face four weeks of tests from now until the end of November. Results will be released at the end of January, and those will determine whether the entrants gain places at the grammar school of their choice.

I understand that, last year, 7,285 children were entered for the AQE assessments and 7,255 for the GL assessments. Early indications are that even more have applied this year. How did that state of affairs come about, and why does it seem that so many in this place are quite prepared to accept the status quo?

Politics, like nature, abhors a vacuum. A vacuum in the process to transfer children from primary schools to secondary schools was created when, following the last official 11-plus exam in 2008, nothing was put in its place. The vacuum that was left when the 11-plus was scrapped has been filled by two non-state exam systems. It was inevitable that, in the absence of an ordered and thought-out method of transferring pupils, tests unregulated by the Department of Education would be devised.

The AQE and PPTC deserve credit for the professional way in which they have gone about organising their transfer tests, and I am not aware of many complaints about the fairness of the system. However, it is perhaps typical of this place that there are two rival testing regimes. Whilst the AQE and GL tests are professionally organised and are a response to parental demand for the continuance of academically selective grammar education,

what we have now is not what we, as legislators, should want for our children. In the past, the old 11-plus exam received heavy criticism for putting 10- and 11-year-olds under undue pressure, but just look at the situation that we find ourselves in now. Today, in 2015, a system that is much more akin to social selection is being entrenched, whereby better-off families are paying for tuition and coaching for the AQE or GL tests. A common complaint about the 11-plus was that children with better-off parents were coached for the test. If there was an element of truth in that 10 years ago, it is even more true today. It looks like private tuition is becoming a major growth sector in the local economy, and whose fault is that?

Our motion refers to and criticises party politicking, and I do not want to add to that unnecessarily. However, some things need to be said. In general, it is the fault of the Executive for failing to find a solution since 2007. More specifically, it is the fault of successive Sinn Féin Education Ministers for polarising the debate and creating the current stand-off. Sinn Féin, the so-called socialist party, has actually succeeded in privatising the transfer test. Well done, McGuinness, Ruane and O'Dowd.

Leaving politics aside, I ask all Members to ask themselves a simple question. If you went to a grammar school, think of those pupils — you may have been one yourself — who came from less affluent backgrounds and sat and passed the 11-plus, went to a grammar school and excelled academically. Do you think that they would have sat one of the current non-departmental tests? Would they even have had an opportunity to go to the local grammar? Whatever you think about the old 11-plus, everyone had the chance to take it. There are plenty of examples of the social mobility that it provided. The Ulster Unionist Party recognised the limitation of the 11-plus a long time ago. Equally, we recognise the limitations of the new, unofficial 11-pluses. However, at the same time, we recognise that selection is a natural part of life.

Back in 2004, Martin McGuinness said:

*"A system which designates any 11-year-old child a failure is fundamentally flawed and must be replaced."*

Yet, I do not see any child who does not go to a grammar school as a failure. That is similar to the designation of our children as failures if they do not study A levels or do not go to university. It is a real bugbear of mine every August when we hear on the radio and from advisers after the A-level results have been released. They say, "Don't worry if you didn't do well enough in your A-level exams to get into university. There are other options for you such as studying at an FE college." It is not about saying that one option is better than another. Rather, it is about finding the most suitable form of education for each individual to enable each to find their full potential. The question is how we assess individuals.

Universities select students on the basis of their A-level exam results, sixth-form colleges select their A-level students on the basis of their GCSE results and most, if not all, secondary schools stream their pupils on the basis of objective academic criteria. It is entirely possible to be 100% against the P7 test but 100% for academic selection. The problem at age 18 and 16 is the same as at age 11. We need to look at each individual and decide not how clever they are but how they are clever, and which type of educational system suits their learning style.

The pressure that the new transfer test system puts on primary schools, especially year 6 and 7 teachers, is not fair. It is also not fair for the Minister to authorise warning letters to be sent to some primary schools accusing them of, horror of horrors, helping to prepare their pupils for the tests. Those primary schools and their principals and teachers are under enough pressure from the expectations of parents at the school gate. Again, it is a situation not of their own making; it is one born of political failure.

In our motion, the Ulster Unionist Party is not prescriptive about how the 11-plus impasse will be ended. We believe that academic selection should be part of post-primary transfer, but we also believe that we do not want to see the current situation set in stone. We want a solution based on teacher guidance and continuous assessment at primary level.

There are other aspects to the debate, and questions that demand answers. How do we deal with the attainment gap and persistent underachievement? Is 14 a more appropriate age at which to choose between a more academic or a more technical and vocational route? The point of the debate is that those important issues have effectively been set aside and ignored since the unofficial tests have taken root. It seems to me that the transfer test has become the elephant in the room. It is a difficult issue, but ignoring it will not make it go away. The only conclusion that I can come to is that, at some point after the restoration of devolution in 2007, Sinn Féin and the DUP came to a truce on the issue. Sinn Féin could say that it had abolished the official 11-plus, but the DUP could say that it had salvaged it through the unofficial tests. I say that because the post-primary transfer issue seems to have disappeared off the radar, which cannot be right.

The Minister and his Department need to convene talks with all major stakeholders to build consensus and agree a way forward on the issue. There was an opportunity to do that, and it was happening before 2002. In February 2010, Sir Reg Empey — now Lord Empey — said:

*“Education is the most glaring failure of the executive so far ... There is one way to prove that this executive is not dysfunctional and that is to reach a consensus on education.”*

How right he was, four and a half years ago. The issue has not gone away and will not go away. It must be revisited and resolved. The future of our children demands it.

**Mr Weir:** I would describe what we are faced with in the motion as a little bit of a mixed bag. Elements of it are very good and others less so. If the main thrust of this is that it would be preferable to have a regulated system, I certainly agree with that. I have no problem with discussions taking place on how that can be best achieved. Similarly, one area that I also find agreement with is the focus of those discussions. Any discussions have to be on a realistic basis that recognises the legal position. I think that, if we are able to reach a single system of testing by way of academic selection, that will be welcomed. However, while regulation is desirable if we can reach consensus on it, which I suspect is where the difficulty may lie, it is wrong to portray the current system of unregulated tests as some form of disaster out there.

When this party helped negotiate the right for academic selection to be put in legislation in 2007, we were told by the then Education Minister, Cairtriona Ruane, that a system

that was not regulated would be some form of disaster, it would be overwhelmed with court challenges and the whole system would collapse very quickly. However, as has been indicated, since that date, tens of thousands of pupils have gone through the tests; indeed, the indications are, as I think even the proposer indicated, that they are becoming more popular. This year, I think, the AQE figures will go up, and a projected 7,760 will take the tests. So, if we are having discussions, they must be based on the realities of the legal position. That is an important factor.

Secondly, although politics has played a role in this and different approaches have been taken, it is naive to believe that politicking is barring a solution and this could be sorted out quickly if the politicians simply disappeared. The reality is that we have the current system because there is widespread disagreement not just among politicians but among schools, parents and, indeed, the different desires that are there. As a party, we back parental choice, which is why, as a party, we were four-square behind the Dickson plan, which worked very well in that area. We certainly accept the rights of a lot of parents who want to opt out of any form of selection and to send their children to non-selective schools, but we stand four-square behind the rights of schools and parents to have academic selection.

#### 12.30 pm

We agree with the sentiment in the motion that one size does not fit all; we have to recognise that diversity. I caution against the suggestion, however well intended, that progress is simply done by way of some form of teacher guidance. Having teachers effectively selecting who goes to a particular school would put teachers in an impossible situation. That was tried out for one year at the beginning of the 1980s but was immediately abandoned by the Government, because it could have led to teachers being pressured, questions of favouritism and parents lobbying for their children to get in. We need a single system of tests.

We support academic selection. Mention has been made of social mobility, which is very important. One of my concerns about the discussion of the transfer process is that, sometimes, it has tended to distract from where the real issues of underachievement and social mobility tend to take place, which are very much in the early years. That is where the main focus has got to lie. If academic selection were made illegal overnight, we would be left with an exacerbation of the problems with social mobility. We would have a situation such as has developed in England, with schools based purely on the ability to pay — a system of public schools where any opportunity for a child from a lower socio-economic background to progress well in their education would effectively be removed. We would exacerbate the problems of social mobility. That is not to say that there are not problems with social mobility that we need to tackle, but we have to make sure that we do not produce solutions that are counterproductive.

I am in favour of any form of discussions that can take place, but they have got to be grounded on reality. From that point of view, solutions that are designed to effectively phase out academic selection or, indeed, to simply persuade those who are in favour of academic selection of the error of their ways will not be productive. I suspect that, with the best will in the world, we are unlikely to reach consensus, but it has got to be grounded on recognition



of the legal right to academic selection. From that point of view, therefore, I conclude my remarks.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank my colleague on the Education Committee Sandra Overend for moving the motion, although I think it is, to use a phrase, a dog's dinner of a motion. It is contradictory in every sentence, but I think, to be fair and respectful, that that has, at times, signalled a lot of Ulster Unionist policy on education reform over the last number of years. I think you are, as your leader said yesterday about marriage equality, on the wrong side of history when it comes to academic selection. The USA, the South, Britain, Canada — all the countries around the world — are lining up to pass legislation for marriage equality; they also made academic selection obsolete many years ago. Why does this part of the world end up being a backwater when it comes to getting on with the times? When it comes to academic selection and the refusal of a rump of schools and boards of governors to move with the times, that is certainly the case.

The motion talks about needing to find a solution: a solution has been found. More than two thirds of our schools no longer work with academic selection; less than a third of our schools do that. A solution has been found. The Member talked about a vacuum being created, because nothing was put in place. That is the whole point: nothing needs to be put in place. The motion also talks about the need to remove politicking and politics from the debate, yet the proposer went on to blame Sinn Féin for the failures in this regard. Again, I repeat: DE does not set admissions criteria; boards of governors set admissions criteria. The proposer said that selection at 11 and 10 is, somehow, the same as selection at 18: that is absolute nonsense. We select at 18 because you are going on to university to do a specific course, so you need specific skills. A one-size-fits-all test at age 10 is not the same. That takes me on to my next point about the motion. The motion talks about a one-size-fits-all model not working, so why would we apply a one-size-fits-all test to our children? It will not work, and it does not work.

Again, this is extremely unfair.

Probably the one part of the motion that I do agree with is that it is entirely unacceptable: children should not be put through the mire of having to do this. My thoughts are with the families and children who will have to do that this weekend. It is totally unnecessary. The proposer talked about parental demand. Again, parental demand is not for the test; it is for access to the good school. I enjoyed a very good education at an elite Catholic grammar school. I do not want to get rid of grammar schools; I want everybody in society to be able to access those schools. If we have academic selection, that is not open to everybody in our community.

The motion talks about talks, but this question must be put to those on the opposite Benches: would you listen? Would you listen to the Churches that are opposed to academic selection? Would you listen to the teaching unions that are opposed to academic selection? Would you listen to the vast majority of political parties that are opposed to academic selection?

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

**Mr Hazzard:** I am sorry; I just want to get through this particular point.

Would they listen to the United Nations, which is opposed to academic selection? Would they listen to the Equality Commission, which is opposed to academic selection? Most importantly, would they listen to children? I have no doubt that if we actually asked our children whether they wanted to do this, they would also want to find a better way. I will give way at that point.

**Mr Storey:** I thank the Member for giving way. He is very exercised about listening to the Churches. Does he pick and choose when he listens to the Church? I am very sure that he received correspondence from the Roman Catholic Church yesterday, in relation to a vote that took place in this House, and his party completely and absolutely ignored it. Do not introduce red herrings on this issue when your Minister has failed to convince the Roman Catholic system that it is time to move away from academic selection. Let us be honest; let us have a discussion; and let us stop the red herrings because it will not work.

**Mr Hazzard:** I thank the Member for his interjection. I must see different Catholic schools and boards of governors moving away from academic selection than those that the Member sees. I think that he must be reading a different letter than I am. He talks about red herrings. Let us talk about red herrings. Many of those schools — for example, at least four last year — had more places available than there were applicants, yet they made them sit the test anyway. Why was that? That test was a complete red herring. I think that that gets to the very crux of this: it has become a modelling and marketing campaign for those schools who want to say that they are good schools and that, without this test, you are somehow not a good school.

Let us look at the international evidence. As shown by the latest PISA figures, education systems in Canada, Finland, New Zealand, Australia and Poland are outperforming our schools in terms of 15-year-olds reaching the very top grades in maths, literacy and science. Not a single one of those systems is selective, so they must be doing something right. Evidence that academic selection at age 11 benefits children is totally non-existent. Nobody in this Chamber will be able to point to an academic-selection system anywhere in the world that benefits the children or the system. Again, I challenge anybody here to name one single educational benefit to children of academic selection. I challenge anybody to do that today. All the international evidence and OECD report after report tell us that the best systems worldwide are non-selective and that a school environment with a good social and academic mix benefits all children. This is an evidence-based approach; it is not an ideology. That takes the politics out of it. It is an evidence-based approach. Selection has been made entirely obsolete throughout the world.

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

**Mr Hazzard:** Our primary schools, nursery units, FE colleges, universities and workplaces are of mixed ability. Why should we not make post-primary schools this way, too? Go raibh maith agat.

**Mr Rogers:** I welcome the opportunity to contribute to the debate as the SDLP's spokesperson on education. It is a very important debate that concerns many families each year as their children prepare for educational life beyond primary school. The motion rightly refers to the fact that we have not yet found solutions to the post-primary transfer problem. Currently, an unregulated system operates that,

in some cases, is much more arduous than the previous system. We need to do something about it.

The SDLP, alongside others in this House, attempted to achieve resolution of the problem in 2009-2010, but an agreed solution could not be found. The origins of the chaos and the resultant failure to deal with the issue have led to a "plague on all our houses" attitude and approach to the issue in this House. Leadership and political maturity are required to solve the post-primary transfer issue and prevent worsening outcomes for children here.

Let us look at some of the problems with unregulated tests. Academic selection at age 11 is still in place here and lacks uniformity. As a result, children, parents and teachers are forced to endure months of uncertainty about the future. Testing has become privatised in schools and parents have to pay. Those who can afford it are having their children coached for the exams privately. Who do we blame? They are trying to make the best out of the current system for their children, and it is the system that is the problem. We, as parents, always want to do the best for our children.

In 2015, the Department of Education issued guidance in which unregulated transfer exams were mentioned. While the Department urges a robust test and a move away from academic selection, this amounts to a nagging approach rather than real authority to deal with the problem. The legislative power to provide such an approach does not exist as we have not agreed the way forward.

We know the great strides that can be made if consensus is achieved. We can look to Finland as a sterling example of this. In 1963, they decided to reform their education process and began a period of transition and structural reform, backed up by political will. This meant that, by 2009, they led the world's educational attainment tables. We, too, can strive to make changes for the better but we must agree a way forward to end the current system of unregulated transfer tests.

The current system, including private tests, fees and coaching, puts additional pressure on children and families from socially deprived backgrounds. Many children now have to sit two or more tests, often comprising multiple papers. This also affects our primary schools. We know that parents, when considering which primary school to send their children to, will often look to see whether tutoring is provided for the local school transfer test. Teachers, too, have been placed under contradictory pressures from the Department, which does not want them teaching to a test, and from some parents who want their children to be prepared for and to pass a test because they have the best interests of the child at heart.

Many of the problems in the current education system do not stem from the 11-plus alone. Inequalities are produced at the early stages of the education system and children who fall behind in early years rarely recover the lost ground. In dealing with the post-primary transfer system, we must make sure that our education system is adequately funded and we must support early years education in order to address educational underachievement and prevent the widening inequalities that are aided by the current education system. We must deal with the heavy bureaucracy in the education system, where less than 60% of the education budget actually gets to the classrooms.

The SDLP envisages a system that is focused not just on exams but on a rounded education for our children and on parental choice of integrated, Irish-medium, state or faith-based education through the provision of appropriate access for all pupils. We are committed to achieving social equity in education through excellence. It remains the case that academic selection at age 11 is educationally unsound and socially unjust. A reassessment of patterns of investment in education is required to remove the high levels of inequality in the education system. This is of crucial importance for the development of our economy too, as a well-educated workforce underpins any thriving economy. The stagnation on this issue has gone on far too long and is preventing higher education outcomes, equality of opportunity and our economy from flourishing.

**Mr Lunn:** I rise without knowing whether we are going to support the motion or not, frankly, because it has been colourfully described as a "mishmash" and a "dog's dinner" —

**Lord Morrow:** You are used to that.

**Mr Lunn:** They were not my descriptions; they came from your colleagues and from the Benches on this side as well. If I can think of something equally colourful, I will try to bring it in before I finish.

The Alliance Party, quite obviously, opposes selection at age 10 — effectively, it is at age 10. Our debates on education always end up as the same debate. We always come back to this issue and I really do not know what the solution is. The motion:

*"calls on the Minister of Education to convene talks with all the major stakeholders in order to build consensus and agree a way forward".*

Frankly, you can already see how much consensus there is here today; it just does not exist. We have two sides to the argument that are just poles apart and are liable to remain so.

Members have referred to the tests as they currently stand. Even people who support the tests acknowledge the pressure that they put on children at a young age but they do not appear to be able to query the necessity for them.

**12.45 pm**

The Dickson plan was referred to. It still involves a level of selection, but it is later, at age 14, which would at least be a step in the right direction. Other Members said that, at some stage, there has to be some weeding out, selection or streaming and a final exam that you stand or fall by, and I accept that. However, the notion of testing children, particularly in the present mishmash of a system that has the potential to involve so many tests and two different systems, is absolutely indefensible, yet people continue to defend it as the best way forward.

The motion:

*"further notes that a one-size-fits-all educational system will not work".*

Mrs Overend's predecessor was Danny Kinahan, who has since been elevated to higher things. I remember the Ulster Unionists tabling a motion to establish a single education system, and Danny frequently tried to explain to us exactly what that meant, but without success because we were all slightly baffled. This one-size-fits-all system will not work — well, OK.

The motion notes that sitting these tests is becoming “increasingly unacceptable” for “thousands of young people” and mentions the pressure, the “unregulated” nature of the tests and the pressure put on schools. That is Alliance thinking, so I will not disagree with that.

The motion continues:

*“further believes that the ongoing politicking of the issue does not address the seriousness of the matter”.*

The ongoing politicking is between the two opposite poles. Those at one pole think that selection tests are essential, and those at the other pole agree with me, as I agree with them, if I may put it that way, that they are unjustifiable. I have to say to the Ulster Unionists that, down the years, they have consistently supported the DUP on whether selection tests should continue. If the motion is a small step in the right direction, and there is some realisation among the Ulster Unionists that — here we go again — they might be on the wrong side of history, I would welcome that, but I am not so sure.

Mr Rogers referred to a previous attempt to find a solution. He may have been referring to the committee that was set up, dare I say it, by me some years ago. It tried to find a way forward, and several MLAs met to discuss the issue. We set up a committee of leading educationalists, who did most of the work for us, but they could not find a solution. At the time, Sinn Féin would not join that project. The current Minister was then the party's education spokesperson, and I think that he had been inclined to join until the party told him the actual way of it.

**Mr O'Dowd (The Minister of Education):** I don't think so.

**Mr Kennedy:** Answer.

**Lord Morrow:** Did a big whip come out?

**Mr Lunn:** I think that he may have had his knuckles rapped on that occasion.

**Mr O'Dowd:** I think you might be on the wrong side of history there. *[Laughter.]*

**Mr Speaker:** Watch the time.

**Mr Lunn:** I am finished. I imagine that we will support the motion on the basis of the last couple of lines. The rest of it is, I totally agree, a dog's dinner and mishmash.

**Mr Craig:** Like others, I find the motion a little confusing. I did not describe it as a mishmash, baffling, bewildering or a dog's dinner, but I find aspects of it extremely confusing. It was good to hear the proposer admit to the fact that it was the DUP that salvaged the transfer principle, and, through the years, whether others believe us to be on the wrong side of history or not is not something that has ever bothered us. It was often said that our founding father was always on the wrong side of history. That never held him back, and I am sure that it will not hold us back either.

Would it be nice to have a regulated testing system? Yes, it probably would. I say that with some scepticism because I am one of those who went through the regulated system, and my daughter went through what is now described as the unregulated system. I have to be fundamentally honest with the House that my experience is that the unregulated system is a thousand times better than the regulated system was. I make no apology for saying that, because

I have experienced both, and I know which is the much better experience for the pupil.

Am I content with the unregulated system that we have? I am not content that there are two unregulated systems out there. I have always appealed to those involved in the debate to come up with a single unregulated system. Is it wrong to have an unregulated system? No, I do not believe that it is. I am not one who thinks that government must do everything. I think that a remarkable job has been done in a very stressful situation, and I make no apology for saying that. Is it a disaster? No, it has not turned out to be a disaster. Has the unregulated system gradually been going away, as others said? Are people running away from it? Well, I have bad news for all of you: the numbers taking the unregulated tests have not gone down, and they are not going down. Parental choice is a wonderful thing. As others said, it is parents who make the choice to send their children to the best schools for their educational achievement. If children are academically inclined, that is the right road to send them down.

**Mr Lunn:** I thank Jonathan for giving way. When he says that it is a matter of parental choice, does he not realise that parents feel that they have no choice but to put their children under that pressure in order for them to get into what he terms the “best schools”? It is parental choice turned on its head.

**Mr Craig:** I thank the Member for his comments, and I will come to address them. That hits on a fundamental issue with the whole selection process. There are parents out there who think that the only means of getting their children into the best school is to put them through the test. Some other parents make the choice not to put their children through that system and to send them to other extremely good schools, and I have no difficulty with that.

Let us take a look at the alternative, which nobody seems to want to talk about. What is proposed there? It is called the postcode lottery. People living near some of the grammar schools would, I think, be delighted with the postcode lottery, because, automatically, the value of their property would double, treble or whatever. However, the reality is that the only people who would get to those extremely good schools in our society are the economically well-off. The deprived children whom we are talking about, many of whom have passed the academic tests and got into those schools, would no longer have access to them. I have never heard that issue addressed anywhere, and no one has tackled it. We talk about Every School a Good School, and that is a good principle, a good start and a way forward. However, we will still see the postcode lottery, with only the well-heeled getting into what are grammar schools today.

Are there other fundamental issues with the transfer process? Yes, I believe that there are, and they have nothing to do with the selection process. How do secondary schools in general find out what the achievement levels of children are? There is an issue that has not gone away, Minister.

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

**Mr Craig:** Sorry, but my time is up.

The issue is around how we measure the achievement levels of children going from primary to post-primary.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. I could go through the motion and pick out the bits that I agree with and the bits that I disagree with, and we could argue back and forth about the rights and wrongs of various parts of it, but, really, where would that get us? To cut through the chaff, it seems to me that the debate has degenerated, certainly among those on the opposite Benches, into one about the rights and wrongs of the regulated test that previously existed versus the new, unregulated test. Let me nail my colours to the mast: both of them are wrong. Academic selection at 10 years of age is wrong. We can rehearse all the arguments that we have debated on many occasions in the Chamber, but let us cut to the chase. As legislators and public representatives, we have a responsibility to ensure that every child and young person is given the best opportunity starting out in life. Imagine if we were to stand up here today and say that there are certain categories of children who should not get the same opportunity as others, or that children of alcohol or drug-addicted parents should not get the same advantages as children who have good parents and are from stable backgrounds. Similarly, if we were to say that children from deprived backgrounds should not get the same opportunities as other children, we would be rightly castigated, but that is, effectively, what is being said here today.

I am not an expert. Look at the figures. Only 12% of children in grammar schools are on free school meals, which is the indicator of deprivation. What do I know about education systems? Like most other people in here, I have worked at various jobs. I am not an expert. I have not done any academic research. I do not have a PhD in comparative analysis of education systems; but, having been on the Education Committee, I have got bits and pieces of research, and people have come in to give evidence, and you absorb whatever you can and you make your assessment. Like everyone else in the Chamber, I will make an assessment on the basis of the evidence that is presented to me. So, what are the experts in the field saying? What does the research say? Let us look at the organisations that oppose academic selection: the Human Rights Commission; the Equality Commission; the United Nations Convention on the Rights of the Child; the Catholic bishops; the Children's Commissioner; and Professor Tony Gallagher, who is an adviser to the Education Committee and pro-vice-chancellor in Queen's University. We could go on and on, and we could look at the evidence presented in the PISA research that my colleague Chris Hazzard mentioned. The fact is that, if we are serious about educating all our children, academic selection has to go.

We already know what works. Look at St Patrick's High School in Keady. It pioneered and still operates a system of transfer that does not involve academic selection. Last year, 86% of its pupils achieved five GCSEs. In 2015, St Patrick's was voted the best non-selective post-primary school in the UK in the 2015 TES school awards. The judges said that the:

*"innovative work and move away from banding, the amazing results achieved and rate of acceleration"*

made St Patrick's stand out. St Patrick's fits into the category of Every School a Good School, and there is no reason why that cannot happen in every school. There is no reason why we should not take a holistic approach to education, from early intervention right through to continual professional development of teachers, so that

teachers are taught and they learn how to teach children of all abilities. All the best systems of education in the world do that. If you go to Finland, Canada, Australia and New Zealand, you will see that they all operate non-selective systems. I oppose the motion.

**Mr Speaker:** The Business Committee has agreed to meet at 1.00 pm. 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 12.59 pm.*



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

2.00 pm

## Oral Answers to Questions

### Culture, Arts and Leisure

#### Windsor Park: Redevelopment Update

1. **Mr Easton** asked the Minister of Culture, Arts and Leisure for an update on the redevelopment of Windsor Park stadium. (AQO 8984/11-16)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I thank the Member for his question. Windsor Park is currently under construction and is progressing well. After receiving approval from the IFA's insurer, the old west stand was demolished and the details of the next steps are being developed between the IFA, its insurer and the project team. To date, it is unknown how much the redevelopment of the entire west stand will impact on the project timeline. However, it is envisaged that, from the point of approval, construction of the new west stand will be completed within 12 months. Excluding the west stand, the remainder of the project is scheduled to be completed by January 2016, and I can confirm to the Member that the cost associated with rectifying the issues with the west stand will be a matter for the insurers and that no additional funds will be required by the Department.

A number of qualifiers have been hosted successfully at Windsor Park during the project time, and I am delighted that the team has been able to qualify for next summer's European Championship in France. I hope that the redevelopment of the stadium can continue to facilitate the team's training and preparation for competitions, and I wish them every success.

**Mr Easton:** I thank the Minister for her answer. I note that the Minister said that, when work on the west stand starts, it will take about a year. Is there a rough idea of when that project could start?

**Ms Ní Chuilín:** As I outlined in the primary answer — I am sure that the Member already knows this — the demolition process is well under way. The IFA, to its credit, has done everything that it possibly could, given the circumstances that it was in, which were beyond its and everybody else's control. It is working very closely with Belfast City Council, its insurers and, indeed, with the Department. The main project should be completed by January 2016, and I do not anticipate too many delays thereafter.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. Whilst we are on the subject of sports grounds, could the Minister indicate if she would be supportive of clubs and grounds benefiting from rates relief, which is a measure that the IFA was supportive of?

**Ms Ní Chuilín:** The short answer is yes. The Member brought forward a private Member's Bill on rates relief for amateur sports clubs, and it is regrettable that that did not realise full support. However, I remain supportive of the extension of rates relief to sports clubs, particularly where the application of financial savings by clubs can

benefit from release and particularly when it is targeted at the development of the sport and, indeed, the people who participate in the sport, particularly when we are all trying to achieve full inclusion. The continued absence of the rates relief is regrettable, but I will certainly do my best to work with the clubs to make sure that they have full advantage.

**Mr Swann:** I add my support to the Member for North Antrim for his attempt to get relief for sports clubs, especially as it would have brought in the pigeon clubs as well. The Minister mentioned the status of the insurance claim for Windsor. Can she give us an update as to where that stands?

**Ms Ní Chuilín:** Belfast City Council and the IFA are working through those issues. As I said to Alex Easton, I am confident that they are all taking a very pragmatic can-do approach to getting the issue resolved. I have no further details other than that. From what I am led to believe, the insurers are accepting full responsibility. The full redevelopment of Windsor Park should be completed by January 2016, and I anticipate that work should properly commence on the west stand very soon. Following the Member's query, I will ask for an update, and I am happy to furnish him with those details in writing.

#### Waterways Ireland: Staffing

2. **Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure for an update on staffing levels and redundancies at Waterways Ireland headquarters in Enniskillen. (AQO 8985/11-16)

**Ms Ní Chuilín:** I thank the Member for his question. Waterways Ireland employs 69 staff at its headquarters in Enniskillen: 60 permanent employees, two fixed-term contracts, two agency staff, four student placements, and one graduate internship. Waterways Ireland has not made any redundancies at its headquarters.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. Is Waterways Ireland considering redundancies due to fluctuations in the value of the euro and pensions pressures?

**Ms Ní Chuilín:** I have not received any indication that Waterways Ireland — or, for that matter, Foras na Gaeilge — is considering redundancies, although, hopefully, we will have a sectoral meeting on Friday.

There have been concerns about what impact fluctuations in the euro will have on pensions and pressures. All pension liabilities are covered 100% by the sponsoring bodies. Waterways Ireland has prioritised work so that urgent repairs and maintenance always take priority, particularly to ensure accessibility of navigations.

If there are any other details, I will happily furnish the Member with them in writing.

#### European Championships 2016

3. **Mr D McIlveen** asked the Minister of Culture, Arts and Leisure what support her Department will provide to the Northern Ireland football team following their qualification for the European Championships 2016. (AQO 8986/11-16)

**Ms Ní Chuilín:** I thank the Member for his question. I congratulate the Northern Ireland team, staff and IFA on

securing its place at the 2016 European Championship finals in France. For the team to qualify automatically is a fantastic achievement but also to top the group is testament to the incredible commitment of the manager Michael O'Neill and the whole squad.

Preparation for the finals is, as the Member will know, primarily the responsibility of the IFA, which has the knowledge and expertise required to ensure that the team has the right support. The Sports Institute, funded by DCAL and Sport NI, has and will continue to provide support to the team, manager and staff as they prepare for competitions.

My Department will continue to support the IFA through funding the project and the redevelopment of Windsor Park. That involves investment of approximately £28 million for the redevelopment of Windsor and a further investment of approximately £2.7 million towards the redevelopment of the Olympia Leisure Centre. The stadium will provide a world-class facility for the team as part of its preparations for the tournament.

**Mr D McIlveen:** I thank the Minister for her answer and welcome and share her congratulations for the Northern Ireland football team.

The Minister will probably not be aware that I was three years old when Northern Ireland last qualified for a major tournament. I am sure that she would agree with me that the place that Northern Ireland football now finds itself is of epic proportions. Does the Minister feel, though, as we move into this new dispensation of football success that there is a real opportunity for us to grasp the beauty of true Northern Ireland identity? Will the Minister's Department be encouraging all our community to rally around the identity of being uniquely and wonderfully from Northern Ireland?

**Ms Ní Chuilín:** It will come as no surprise to the Member that while I wish the Northern Ireland team, and, indeed, the IFA, all success — and I do genuinely — I do not identify myself as Northern Irish in the same way as the Member does. However, the IFA has done brilliant and exemplary work in trying to make sure that football is accessible to all. It will continue to do that.

I do not believe that we should shoehorn people into supporting teams because some people support certain teams and others support other teams. We need to create the conditions whereby people can, of their own will, give support to whomever they want. For those who decide not to, that is their choice as well.

Even from when you were a mere boy in 1986, things have changed considerably. The atmosphere has changed considerably since then, but, despite all the work that they have done, and they have done great work, we have still some way to go.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagra. What assistance has the Minister's Department given the IFA to develop soccer at grass-roots level?

**Ms Ní Chuilín:** I am still working very closely with the IFA and, indeed, the other two biggest governing bodies, the Ulster Council and Ulster Rugby. My Department has provided £4.5 million of funding for the three governing bodies and is particularly looking at accessibility for grass-roots groups and grass-roots sports and at enabling the

three bodies to look not only at the whole area of sport but at healthy lifestyles, mental health, breaking down barriers, increasing access and increasing employment. When the work is completed by the three governing bodies next year, it will set them in good stead to compete for additional funding for the years ahead. The work that they have done at grass-roots level has been exemplary.

## Budget Cuts

**4. Mr McKinney** asked the Minister of Culture, Arts and Leisure what assessment has been made of the impact on employment of funding cuts by her Department. (AQO 8987/11-16)

**6. Mr B McCrea** asked the Minister of Culture, Arts and Leisure what evaluation was given to the impact of recent in-year budget cuts to the Arts Council. (AQO 8989/11-16)

**Ms Ní Chuilín:** With your permission, Mr Deputy Speaker, I will take questions 4 and 6 together. I thank the Members for their questions.

This has been a difficult Budget, with pressures directly resulting from cuts to our block grant by the British Government. I have had to redeploy a budget in DCAL to deal with the inescapable pressures that have emerged through the year and to focus on departmental priorities. That has meant reductions in some areas but increased budgets in others. The British Government have cut our block grant and have signalled that they are going to do so again in the future. As such, the budget allocations are going to become more regressive over the years.

We are halfway through the year, and many of our arm's-length bodies' (ALBs) costs, such as salaries and buildings costs, are fully committed for the year. In the case of the Arts Council, it is helpful to point out that it received the same percentage of pressure in its reductions as other bodies in DCAL did. Legacy work now planned for the north-west will continue and have a strong artistic and cultural component. I hope that I will have the opportunity to try to offset some of the worst costs through future monitoring rounds.

**Mr McKinney:** The Minister will be aware of the spirited protest outside the Assembly today. That spirit perhaps belies the deep anger that is felt by those protesters, many of whom are in the Chamber this afternoon. They have expressed themselves and are alarmed and disturbed at the in-year cuts, resulting as they have in loss of employment, insecurity and the taking away from vital programmes that are instrumental in the community. Will the Minister now reaffirm her commitment to the arts and reaffirm that she will restore those moneys to the Arts Council?

**Ms Ní Chuilín:** First, it is good to see the arts and the artists in the Public Gallery. It is also good to see from the badges being worn that there is now cross-party support for the arts, because, prior to that, there was not. It is also good to see that pressure is now being brought to bear about how valuable the arts are. In the absence of any financial security coming from our Executive, and in the absence of the security that we, as an Executive, need around the moneys that we have had taken from our block grant in July 2011, with more of the same having been earmarked in July of this year, I cannot and will not give a guarantee — I believe that to do so would be reckless — that I will be able to restore the budget that I desperately



want to restore. I will certainly be a champion of the arts. I will argue for additional money for the arts, and I look forward to full party support for that argument on the Executive.

**Mr B McCrea:** Minister, you will be aware that there are hundreds of people outside who want to talk to you about the arts. I listened carefully to your answer. Would it be possible for you to meet those representatives of the arts after Question Time? They promise that it will not be in any way contentious. They do not want it to be a political football, but they would like to present you with their open letter to explain their situation. Of course, you could then explain the situation to them directly.

**Ms Ní Chuilín:** Thank you, Basil, for your question and your appeal. I am happy to meet them. I will never avoid any groups or any protest. I fully support people's right to protest. In fact, many of us came here through protest movements of one sort or other. I am happy to meet a small group of representatives. Straight after Question Time, I am meeting a group of BBC people who are lobbying me about the renewal of the BBC charter, but I will take five minutes to take the letter and hear what people have to say. I have already accepted invitations from arts and creative companies to go to Derry, particularly around receiving a delegation. I am happy to do that. I thank the Member for the tone with which he raised the issue.

2.15 pm

**Mr McCausland:** How can the Minister justify imposing in-year cuts on funding that has been committed to arts organisations and then siphon off the money to projects with no open application process and no transparency? Is that good practice?

**Ms Ní Chuilín:** You have a brass neck, given your history around Red Sky and others. You have an absolute brass neck. First of all — *[Interruption.]*

**Mr Deputy Speaker (Mr Beggs):** Order.

**Ms Ní Chuilín:** First of all, on transparency, I did not meet anybody in rooms and conjure up dirty deals. The whole process was done in an open and transparent way, with a business case. It was not siphoning off. All other ALBs received a reduction as a result of Tory cuts, but you have a complete brass neck. I am glad to see that you are taking a reddener.

**Mr Deputy Speaker (Mr Beggs):** I ask everyone to refer their questions and answers through the Speaker's Chair, please.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answers to date. Will she outline some of the inescapable pressures in her Department?

**Ms Ní Chuilín:** There are many inescapable pressures; I am sure that the Member will appreciate that I cannot go through them all. However, as with other Members who have asked for details, I am happy to complete what I do not cover here in writing. There is over £430,000 to meet health and safety requirements to comply with statutory obligations. There is £300,000 towards our Together: Building a United Community (T:BUC) programme, which is required to ensure that the positive outcomes from the pilot scheme are maximised. Also, looking at our City of

Culture legacy, there is £100,000 towards commitments made for the creative industries. In addition, there is £150,000 for time-bound Executive funding, which has now expired, to the IFA, the GAA and rugby. I have also looked at strengthening the stadia team's programme to ensure that the Programme for Government commitments to regional stadiums are met.

**Mrs Overend:** Has the Minister requested that her arm's-length bodies prepare revised corporate plans as a result of the funding cuts to their budgets? If so, when will they become available?

**Ms Ní Chuilín:** We have entered into a discussion with all the ALBs. The revisions to not so much their corporate plans but their financial plans and projections are being revised as we speak. I am still hopeful that we may have a monitoring round, so I imagine what the fluctuation will be between the projections if it happens or if it does not. Those discussions are certainly being had, and preparations are being made for the same.

**Ms Lo:** Does the Minister use a scoring matrix or any other methodology when determining the spending cuts or increases for arts organisations? If so, will she publish it?

**Ms Ní Chuilín:** The processes of the scoring matrix and the allocations for the Arts Council are done by the Arts Council. When I make priorities and interventions in my Department, the criteria that I use are around promoting equality, tackling poverty and promoting social inclusion, and particularly looking at people who live and work in deprived in areas and are the furthest removed from services. That has been open and transparent. It is in my business plan and the revised business plan. I have made that a priority for every aspect of all my ALBs and my work in the Department.

## Football Stadia

5. **Mr Lyons** asked the Minister of Culture, Arts and Leisure for an update on the funding for the subregional development of football stadia. (AQO 8988/11-16)

**Ms Ní Chuilín:** I thank the Member for his question. My Department is currently in the process of developing the subregional programme for soccer. Plans for a formal public consultation with key stakeholders are well under way, with a 12-week consultation to commence at the end of November. The forthcoming consultation will give all the stakeholders the opportunity to shape the final programme. Once the stakeholder consultation exercise is completed and the final programme has been agreed, my officials will be in a position to offer advice to all potential applicants. It is envisaged that, following the 12-week consultation, the subregional programme will be formally launched and open for applications in early 2016, but the long-awaited consultation will happen at the end of this month.

**Mr Lyons:** I thank the Minister for her answer. It is good to hear that the consultation will take place soon. There are an awful lot of clubs, right across Northern Ireland, that are very anxious to hear information about this and it has not been forthcoming until now, so I thank the Minister for her clarification. Perhaps she can give an indication of when, she thinks, the first pots of money will be made available to clubs. Some clubs are very advanced in their plans and in seeking planning permission. They are eager to get going. When can the money be drawn down?

**Ms Ní Chuilín:** Certainly, clubs should be able to access and draw down money in spring; I am talking about March or April. The consultation will last for 12 weeks, and there will be feedback on how to prepare and respond to the applications. I appreciate that some clubs have been preparing for this opportunity for years. I also appreciate that some of the smaller clubs have not had the same advantage as some of the bigger ones, and it is important that we try to make sure that everybody has a fair opportunity of getting access to the funds. I anticipate that even the remainder of the money for the subregional soccer programme will not cover all the needs. I am looking at how, in the next mandate and the next CSR, those other needs can be met, not just for soccer but for Gaelic, rugby and other governing bodies.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a cuid freagraí go dtí seo. An dtig liom iarraidh ar an Aire, an dtig léi cur síos a thabhairt ar cé atá ag glacadh an phríomhfhreagracht as an chlár fhoréigiúnach le haghaidh sacair? Will the Minister comment or give an outline on who is taking the lead responsibility for the subregional programme for soccer?

**Ms Ní Chuilín:** I thank the Member for her question. I am taking lead responsibility for the development and delivery of the subregional programme, and that includes the allocation of funding. I am working closely and in conjunction with the IFA, but I am taking lead responsibility.

### Casement Park: Planning Application

7. **Mr Allen** asked the Minister of Culture, Arts and Leisure when she expects to see a completed planning application for a new Casement Park stadium. (AQO 8990/11-16)

**Ms Ní Chuilín:** I thank the Member for his question. The GAA is continuing to develop the design, ensuring that the recommendations of the judicial review are wholly incorporated into the planning application. A key aspect of the process is ensuring that the GAA involves the community throughout the process to ensure a high level of engagement with all stakeholders. It will be for the GAA to decide on when it is in a position to submit its planning application. I am optimistic that that will be done very early next year. The Department will continue to offer support to the GAA with the process, ensuring that the recommendations of the recent project assessment review (PAR) report are fully implemented. I am delighted to announce the appointment of Danny McSorley as the newly appointed chair of the safety technical group (STG). The input of the STG will be pivotal in the progression of the project, and I look forward to the group providing the specialist advice required to bring the project to a successful conclusion and make Casement Park a reality.

**Mr Allen:** I thank the Minister for her answers thus far. In the light of the footprint of Casement Park being totally unsuitable for a modern 38,000-seat stadium and bearing in mind that a smaller stadium would cost considerably less, is there an opportunity for the savings to be redeployed to the arts sector, which is under such severe financial pressure at this time due to in-year cuts?

**Ms Ní Chuilín:** I thank the Member for his question. One is a capital programme; the other is resource. I really hope that the Member is not suggesting that Ravenhill and

Windsor Park can be redeveloped but the money for Gaelic games can be given away. That will not happen, certainly not on my watch. I fully support the need for additional money for the arts sector and will argue for it, but I do not think that anybody from the arts sector or anywhere else would even hint or suggest that money should be taken from Gaelic games and given somewhere else.

The judicial review did not rule on the 38,000 capacity. Some residents have said that they believe that the capacity needs to be sorted out; I believe that that will be dealt with. It should be discussed between the Ulster Council of the GAA and those residents. Certainly, as to any notion, hint or suggestion that money for Casement Park or Gaelic games will be given elsewhere, it is not going to happen.

**Mr Dunne:** In relation to Casement Park, does the Minister recognise that the management of the project has been a disaster and that the capacity of 38,000 is totally unsuitable for the area in which it is proposed? Will she assure us that there will be open consultation with the local residents on this application? That did not happen last time, and the matter ended up in court.

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

**Ms Ní Chuilín:** First, I am aware that you are working with some of the residents, particularly the Mooreland and Owenvarragh Residents Association (MORA) in west Belfast.

**Mr Dunne:** I am a democrat.

**Ms Ní Chuilín:** Absolutely. That is what residents do. It is an open and democratic process, and I believe that the next consultation will also be an open and democratic process. You have heard hours and hours of evidence. Previously, at Championships, there have been more than 38,000. There have been up to 33,000 and, prior to that, there have been far more people than that at games. It is up to the Ulster Council to provide its strategic vision for Casement Park. If residents truly believe that there needs to be a reduction, that has to be done in consultation with the Ulster Council. I believe that those discussions have already started and that there will be a good resolution. Any notion that the project will be scaled back so that it is not viable is a bit ridiculous. I hope that the Member is not suggesting that.

**Ms Boyle:** How will the Minister ensure that the 20 PAR recommendations are fully implemented in the project?

**Ms Ní Chuilín:** I thank the Member for her question. I am determined to ensure the implementation of the recommendations, and some have already been implemented. The PAR implementation plan allocates each of the recommendations to a specific owner. In my case, I have a new SRO in the Department working on that full-time. As the Member may have heard in my response to the main question, I have announced that we have a new independent chair of the safety technical group. The Ulster Council has fully accepted the implementation and recommendations of the PAR report. We can all use that report to help us to work towards the future, particularly in delivering Casement Park.

**Mr Deputy Speaker (Mr Beggs):** Declan McAleer is not in his place.

## Creative Industries

9. **Mr Ramsey** asked the Minister of Culture, Arts and Leisure how her Department encourages growth in the creative industries sector. (AQO 8992/11-16)

**Ms Ní Chuilín:** I thank the Member for his question. DCAL has the lead in government for the development of the creative industries and has achieved a great deal to aid this fast-growing sector across the North. The creative industries innovation fund operated from 2009 to 2015, supporting 359 projects with a total investment exceeding £5.6 million. As part of a three-year contract to June 2016, DCAL has agreed to provide £330,000 of funding to Generator NI, which is responsible for delivering the music strategy's target of increasing employment in the industry by 72 new jobs and increasing the gross value added (GVA) by a £1.2 million annual contribution to the economy by June 2016. DCAL is also providing an additional £100,000 resource in 2015-16 for creative industries development.

**Mr Ramsey:** I thank the Minister for her response. Clearly, many people across Northern Ireland look to the creative industries and what they can provide for the future. I know that the Committee has had a huge interest in that. Will the Minister outline the investment made by the Department or the Executive in the creative industries over the past four years?

**Ms Ní Chuilín:** I do not have those figures to hand, but I am happy to write to the Member. The group that we convened recently has representatives of many of the Departments, and all the Ministers came. Minister Farry was there, and there were representatives from DETI and the Department of Education. Ministers and senior officials have been working on this, and it is important that there is a cross-departmental approach. The Member can see the value of creative industries investment in his city and what that has done. We need to have that right across and, indeed, try to link up opportunities right across the island. I am not being political, but, when looking at investment, particularly in this economy, we should try to do so to the advantage of everybody. We have provided good investment thus far, but I hope to increase that or at least leave a good footprint for the CSR in the next mandate.

**Mr Deputy Speaker (Mr Beggs):** That is the end of listed questions. We move on to topical questions.

## Northern Ireland Events Company: Lessons Learned

T1. **Mr McNarry** asked the Minister of Culture, Arts and Leisure what lessons she has learned from the bad practices exposed in the recent report on the Northern Ireland Events Company and whether she can assure the House that no such practices are evident today anywhere else in her Department. (AQT 3061/11-16)

2.30 pm

**Ms Ní Chuilín:** I thank the Member for his question. He was a longstanding member of the CAL Committee so he is probably far more familiar with this than I am. I came into this mandate when the Events Company was transferred from DCAL to DETI. There are certainly many lessons to be learned, but I want to assure the Member as fully as possible that our Department has learned lessons from

what happened at the Events Company. Indeed, I would expect all Departments to read the report and learn the lessons from it.

**Mr McNarry:** I thank the Minister for her frank answer. I accept her assurances and am gratified by them. Rather than cause her any anxieties, has she been made aware of any events funded directly or indirectly by her Department at which admittance money has not been fully accounted for due to the methodology in taking cash on entry?

**Ms Ní Chuilín:** I am certainly not aware of any events or detail in the Member's question. Just to be sure — to be sure, to be sure — I will take the Member's question back to my officials and I will furnish him with those details in writing. I will assure the Member as much as I possibly can. The nonsense that occurred at the Events Company was in blazing lights, but I believe that all senior officials in most Departments will have read the report and gone back to do a quick checklist in their Department.

## Arts and Culture Strategy: Consultation

T2. **Mr Hazzard** asked the Minister of Culture, Arts and Leisure when the consultation on the arts and culture strategy that she intends to introduce will happen. (AQT 3062/11-16)

**Ms Ní Chuilín:** I anticipate launching the formal consultation on a strategy for culture and arts within three weeks. There has never been such a strategy in the Department before. We have the Sport Matters strategy, which is interdepartmental, has been funded and is for 10 years. It amazed me that there has not been an arts and culture strategy in the Department before. I will launch it no later than three weeks from now.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. How will she ensure that the strategy is properly resourced and that there is widespread political, if not public, support for the initiatives?

**Ms Ní Chuilín:** Going by some of the supportive comments today from Members in most parties, I hope that all-party support will flourish and is sustained for this very important strategy. It is vital that we have a robust, resourced strategy for arts and culture for at least 10 years because we need to ensure that there is full-party support, right across the Executive, for the future of culture and arts. It is really important that, going into the next mandate, we have a robust and well-resourced strategy not only to help whoever the new Minister is but to give some security to the sector.

## City of Culture: Legacy

T3. **Mr McQuillan** asked the Minister of Culture, Arts and Leisure how she believes the legacy of Londonderry being the 2013 UK City of Culture has filtered down to the grass-roots communities in East Londonderry. (AQT 3063/11-16)

**Ms Ní Chuilín:** I have been in the Member's constituency. We were able to make a capital investment there in partnership with Coleraine. There is also the Stendhal Festival in Limavady. I have met many groups from right across the city of Derry and the neighbouring counties, towns and villages, even from some areas that are now classified as part of Mid-Ulster, although they are still part of the natural east and south Derry hinterland. It is

important that support for the grass-roots continues. I make no apologies for supporting not only the City of Culture but the legacy programme.

**Mr McQuillan:** I do not want the Minister to apologise for supporting the grass-roots and legacy programme. I encourage more but what I want to see is the support filtering down to the lowest level of the grass-roots community. I am not really seeing that happen at the minute, Minister.

**Ms Ní Chuilín:** I am happy to meet the Member and get some views on how he thinks that could happen. The groups that I have dealt with right across different sectors in Belfast tell me that they are targeting support to people who are most deprived, marginalised and excluded, and most of them are. For some, there was a gap. We need to hear what those gaps are and see how we can try to fill them. I am open to hearing what the Member has to suggest.

### Féile an Phobail: World Police and Fire Games

T4. **Ms McCorley** asked the Minister of Culture, Arts and Leisure to comment on the rationale for appointing Féile an Phobail as lead partner in the cultural programme for the World Police and Fire Games 2013. (AQT 3064/11-16)

**Ms Ní Chuilín:** Féile an Phobail lobbied me, as it did the Tourist Board, DETI and Belfast City Council. It also made a presentation to the World Police and Fire Games board on the need for a cultural programme, given that we had a very successful programme in the run-up to the 2012 Olympic and Paralympic Games. The Olympics were primarily an arts spectacle with sports added in. Féile an Phobail was the lead partner, as designated by the groups, and remains the lead partner in that cultural programme. That is set to continue. Those are the origins of the lobby.

**Ms McCorley:** Go raibh maith agat. Gabhaim buíochas leis an Aire as an fhreagra sin. Will the Minister comment on the importance of the cross-community aspect to the roll-out of the programme of events for the 2013 games?

**Ms Ní Chuilín:** There is a cross-community element to it. I do not underestimate how difficult it has been for people to sustain that over the years, particularly for groups working in communities that need support, including political support, to do so. Groups in the Shankill and in east and south Belfast have worked well with Féile an Phobail and with other members of the cultural partnership, and I imagine that that will and should endure well beyond the lifetime of this mandate.

### Musical Instruments for Bands: Funding Cuts

T5. **Ms P Bradley** asked the Minister of Culture, Arts and Leisure to explain her rationale for cutting the musical instruments for bands funding programme and to outline how that decision is affecting the community. (AQT 3065/11-16)

**Ms Ní Chuilín:** The rationale is purely financial. I anticipate that, if the financial situation changed, we could reinstate that programme. That is not the fault of the Executive at all, as these cuts came from the Tory Government. There are programmes that the Arts Council simply did not have the money to continue, and that is one of them.

**Ms P Bradley:** I thank the Minister for her answer. She will be aware that we have in and around 600 bands, which are

made up of around 20,000 people who are learning to play musical instruments. Some of those are in our area, some are in deprived areas and some are in the rural community. It has been a great resource for progression: some of those people make professional careers from music. Will the Minister reinforce once again that this will be looked at in future? These are not just marching bands: these are future musicians from Northern Ireland.

**Ms Ní Chuilín:** I am happy to support everything that the Minister — not yet, Paula — the Member has said. I have met the bands' forum and I have met bands' forums from across all political backgrounds and none. I have met people who are involved in bands and I have met groups who use musical instruments as a method for therapeutic development to help people to cope with trauma and mental health problems. I have even met people who are returning from illnesses — for example, viruses, strokes and the rest — who are recovering through the arts and through musical instruments. I appreciate the value that music brings. That is one programme, and the Arts Council has had to make difficult decisions on a few of them, given the budget that it has been handed and given the cuts that we face from the British Government.

**Mr Deputy Speaker (Mr Beggs):** David McIlveen is not in his place.

### Monitoring Round Bids: DCAL

T7. **Ms Sugden** asked the Minister of Culture, Arts and Leisure, in anticipation of a resolution from the current talks, to state her intended bids in a possible monitoring round. (AQT 3067/11-16)

**Ms Ní Chuilín:** I love the Member's optimism and hope that we can all share it. The monitoring round that I had in June still stands; if anything, aspects have been added to it. I will be proactive in convincing all colleagues that we need to try to plug the gaps that others have created in our Budget. If we had a monitoring round, I would hope not only to pursue the bids that I was bringing forward in June but to address the new and emerging pressures that have come to me since then.

**Ms Sugden:** For the benefit of the House, will the Minister reiterate her priorities from the June monitoring round and tell us about any that have come up since?

**Ms Ní Chuilín:** The Member may have heard some of the priorities, particularly my statutory obligations around health and safety for some of the ALBs. I have to meet those health and safety requirements to make sure that I fulfil my statutory duty. There are gaps there for the Arts Council, the Sports Council and Libraries. There are also gaps for Museums, as well as in commitments that I have made to the three sports governing bodies on the work that they have been doing with grass-roots groups. The governing bodies have taken groups, particularly from communities that face difficult challenges, and supported them. It is important that they have some sort of financial security in order to continue that work.

**Mr Deputy Speaker (Mr Beggs):** The Member listed to ask question 8 has withdrawn his name. Raymond McCartney is not in his place. Alastair Ross is not in his place. The next period for questions does not begin until 2.45 pm, so I suggest that the House take its ease until then.



2.45 pm

## Education

**Mr Deputy Speaker (Mr Beggs):** Listed questions 9 and 13 have been withdrawn.

### Delivering Social Change: Literacy and Numeracy

1. **Mr Ramsey** asked the Minister of Education whether shortfalls in funding have impacted on the Delivering Social Change improving literacy and numeracy signature programme. (AQO 8999/11-16)

**Mr O'Dowd (The Minister of Education):** The Delivering Social Change (DSC) programme was announced by the Office of the First Minister and deputy First Minister in October 2012. The programme was only made possible by central funding provided by OFMDFM. In the absence of central funding, I had to end the OFMDFM programme and the DE expansion programme at the end of August 2015. In addition, some participating schools have not had the benefit of the additional teaching resource for a full two years or until March 2016, whichever was sooner.

The expenditure for the programme was incurred by the Education Authority in respect of the payment of teachers' salaries and administration costs up to the end of August 2015, which is when their employment ceased. Work is ongoing to finalise the accounts for the programme up to the end of August 2015. The funding already provided by OFMDFM and my Department appears to be sufficient to cover the costs incurred. My commitment to the programme is such that I have set aside an additional £200,000 to ensure that the best practice and learning developed and identified during the programme can be disseminated across all schools and create a lasting legacy for the Delivering Social Change programme.

**Mr Ramsey:** I thank the Minister for his response. I have heard you in the media on the issue, but it is still concerns many parents that in the early years their children are not getting the appropriate, holistic and individually tailored plans that are necessary for a child's progression. Can you outline the steps the Department is taking to bring forward a more strategic approach to ensure that a child's development at an early stage is being progressed consistently?

**Mr O'Dowd:** I do not necessarily accept that many children are not getting the appropriate interventions at early years. In any system as expansive as the Department of Education's, there will be different degrees of provision within the schools. My job as Minister, and the role of the Department of Education, is to ensure that all provision is brought up to the highest level possible. We have tailored interventions in place. Our curriculum is tailored to ensure that education is delivered at early years — age-appropriate and individual-appropriate — to pupils to ensure and support them through their development of education from the earliest years possible.

The Delivering Social Change programme was targeted at our primary schools and post-primary schools, and, over its two years, it was very effective, but, when budgets are reduced, you have decisions to make. OFMDFM had its to make, and I had mine to make. I could have diverted

funds away from schools to continue the Delivering Social Change programme, but I would have been paying off teachers to bring in other teachers, and I did not think that that made sense at this time. The lessons from the DSC programme are being learned and disseminated, and they will be shared across our education establishment to ensure that everyone learns the best practice from them.

**Ms Maeve McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. I note that he referred to the lessons learned from Delivering Social Change. Will he outline what the Department is going to do to harness that learning to benefit schools across the North?

**Mr O'Dowd:** As I outlined, I have set aside £200,000 to carry out that work this year. In the most successful schools, that learning has been shared across the curriculum, and many principals are trying to mainstream the approaches learned under the DSC programme. The legacy programme will be delivered during the 2015-16 academic year. That programme aims to prepare and collate resources and best classroom practice identified by Education Authority officers during the programme; provide information for school principals on successful approaches to tackling underachievement; provide continuous professional development (CPD) sessions on English and/or numeracy interventions for our English and maths coordinators and teachers in every school; and prepare and present case studies of best practice identified by ETI and the evaluation process, along with a number of other measures. The lessons learned from DSC will definitely not be lost to our system. They will be built-in and tailored to our schools as we move forward.

**Mrs Dobson:** What assessment has been made of the worth of the signature projects with regard to literacy and numeracy? How can the Minister address underachievement when the first thing to be cut is that programme?

**Mr O'Dowd:** We have to recognise that our education system is there to address underachievement. It should not be an add-on, and it most certainly should not be a separate programme or scheme that you come up with. The core purpose of education is to educate to the individual; to meet the needs of the individual child and to nurture the child's development and learning at every stage of their education. That is the core principle. Once you get into a philosophy, idea or mindset that you need yet another programme to tackle underachievement, you are going down the wrong road and in the wrong direction. It has to be the very core of education.

The Education and Training Inspectorate (ETI) is evaluating the numeracy and literacy programme and will continue to evaluate and disseminate best practice throughout our schools, along with the Education Authority.

**Lord Morrow:** Does the Minister accept that there is some evidence — in my opinion, it is substantial evidence — that there is underachievement among young Protestant boys? Does he have any measures or has he taken cognisance of that? How does he intend to address that?

**Mr O'Dowd:** Of course there is evidence that proves — it does not suggest; it proves — that there is educational underachievement in young Protestant boys. As I said in response to the previous questioner, our education system



has to be targeted at the needs of the individual and to be set in a way that nurtures and develops the educational well-being and development of every individual child.

Do we need a separate strategy for Protestant working-class boys, solely for education? No. We need a combined strategy for working-class communities, Protestant and Catholic. The figures in the Catholic community are not impressive either. Somewhere in the region of 457 working-class Protestant boys left school without proper qualifications in 2014-15. In the same year, 909 Catholic working-class boys left education without proper qualifications.

We need to target resources to schools in socially deprived areas. I have done that, and that was opposed by the Members opposite. We need to ensure that the Executive, as a whole, are targeting resources to socially deprived areas to build up community confidence and infrastructure, and they are doing that. As is the case with health, you will find that social deprivation breeds educational inequalities. We need to remove inequalities in society to ensure that education prospers.

I believe that we have the policies in place to tackle educational underachievement, because that is at the very heart of our education system.

## Post-primary Transfer Arrangements

**2. Mr Cree** asked the Minister of Education for his assessment of transfer arrangements for year 7 pupils to post-primary schools. (AQO 9000/11-16)

**Mr O'Dowd:** For the September 2015 entry, over 21,000 pupils transferred from primary to post-primary schools. By the end of the process in May, 99.4% of pupils were placed in a school of their choice, with 86.7% being admitted to their first-preference school.

The Department has published guidance setting out a framework for the transfer process. That guidance has been in place since 2010, which was the first year that children were not subjected to a state-sponsored transfer test. The guidance strongly recommends that schools do not use criteria related to academic ability. It goes on to recommend a menu of non-academic admissions criteria from which boards of governors of post-primary schools should draw in deciding their admissions criteria. That includes giving priority to children in receipt of free school meals, those with a sibling currently attending the school, and applicants who are the eldest child. It also includes geographic criteria relating to feeder primary schools, a named parish or catchment area, which are all to be used in conjunction with the criterion of the nearest suitable school to ensure that rural children are not disadvantaged.

It is my belief that the transfer process, as experienced by parents and children, would be much fairer if all schools followed the Department's guidance and ceased the use of academic selection and rejection for admission into schools.

**Mr Cree:** I thank the Minister for his answer. Minister, do you not agree that you have effectively privatised the transfer system?

**Mr O'Dowd:** No. Boards of governors make a conscious decision every year. Every year at a board of governors meeting, a board of governors should set its entrance

criteria. Every board of governors that sits down and decides not to use academic selection follows a pathway that does not reject any child on the basis of a dodgy dossier. Schools that decide, at a board of governors meeting, to follow the pathway of academic selection decide to use dodgy dossiers to admit children to their school. There is no educational reason for doing it; there is a social reason for doing it. If it is for social selection, those who support it should stand up and say so. This is for social selection, not for educational selection. Those who defend and make excuses for those schools are responsible for what you term the "privatisation" of admissions criteria. I, for one, campaign daily to bring that process to an end.

**Mr Dunne:** I must say that I find it unacceptable that the Minister uses a phrase such as "dodgy dossiers" in relation to the selection procedure. Does the Minister agree that, in the main, the system works extremely well because we do not have education authorities or boards involved in it? The fact that they are kept out of it means that the system works extremely well, and, in the main, Protestant and Catholic parents are happy with it.

**Mr O'Dowd:** The Member stands in an elected Assembly as an elected representative who is charged with holding to account the use of public funds, and he makes the statement that the system works better because the education authorities and boards etc keep out of it. That is probably one of the most undemocratic statements I have ever heard in the Chamber. What, then, is the purpose of the Chamber? What is the purpose of elected representatives? What is the purpose of the ballot box if we do not elect politicians to govern? That is what we are all about and what the Chamber is about.

Does the system work well? No, it does not. Evidence of that is in the draft Equality Commission report published only a fortnight ago. The evidence is in the report published by the OECD two years ago. The evidence comes from the United Nations Committee on the Rights of the Child and the Human Rights Commission. The evidence has been presented by the trade union movement and can be found in the trail of underachievement in working-class communities. We ignore the international evidence, not for educational purposes but for social selection purposes. There is no educational evidence that backs up academic selection — none whatsoever — but there is plenty to back up its use for social selection. Parties such as yours, which opposed academic selection in the mid-1980s on the basis of social selection, need to go back to your previous position.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers thus far. Minister, bearing in mind that more than two thirds of schools have moved away from selection and do not have any academic selection at age 10, what progress has been made in moving away from selection the final rump of schools that insist on that process?

**Mr O'Dowd:** I believe that there has been a change in attitudes to academic selection, particularly in the Catholic sector. That has been driven, in fairness, by the position taken up by a number of groups — the Catholic Bishops and the Catholic Principals Association. They have been driving forward the agenda and reminding people in their sector that academic selection is not only educationally wrong but, in the words of the Catholic Bishops, "morally

wrong". There is a shift away from so-called academic selection, which is, in fact, social selection. On the basis of equality and the foundations — Mr Deputy Speaker, it is very difficult to talk when others are having a full-blown conversation.

**Mr Deputy Speaker (Mr Beggs):** I will judge when I think it appropriate to intervene. Minister, do you wish to continue or have you finished?

**Mr O'Dowd:** With respect, Mr Deputy Speaker, I was just making you aware that it was very difficult to hear. I was not asking you to intervene.

We ask that further schools move away from academic selection in the time ahead. An example of how public opinion changes matters is that a vote in the Chamber yesterday was, a year ago, unachievable. It was made achievable because activists who believe in equality made it so. Therefore, there is a responsibility on the trade union movement, on political parties in the Chamber that oppose academic selection and on civic society to campaign against it.

3.00 pm

### Teachers: Health and Well-being

3. **Mr McGlone** asked the Minister of Education what steps his Department is taking to address the health and well-being of teachers in schools. (AQO 9001/11-16)

**Mr O'Dowd:** I am aware of the health and well-being issues that are faced by teachers in our schools and the importance of addressing them if we are to retain a committed, motivated and healthy teaching workforce. The responsibility for the health and well-being of teachers rests with their employers, their board of governors, in conjunction with the employing authority, where relevant. The employing authorities and the teachers' unions work together through the teachers' negotiating committee (TNC) to tackle issues that impact on teachers' health and well-being. My Department is also part of the TNC.

Over recent years, a number of measures have been introduced to support teachers' health and well-being. They include the development of a strategy for teachers' health and well-being; a policy statement on tackling violence and abuse against teachers; a workload agreement; a teachers' attendance procedure, which includes a new provision for the recording of incidences of work-related stress; an independent 24-hour confidential telephone counselling service for all teachers provided by Carecall; a flexible working scheme; a job-share scheme; a career break scheme; temporary variations of contracts; and a policy statement on planning, preparation and assessment time.

Notwithstanding all of that, I assure Members that this is a matter of the utmost importance to me. Most recently, I personally endorsed the reinvigoration of the teachers' health and well-being working group of the TNC. I expect to see a clear, agreed action plan, outlining specific activities for my Department, employers, employing authorities and the unions to take on, in partnership, to tackle this critical issue.

**Mr McGlone:** Go raibh maith agat, a Aire as an fhreagra sin. Thanks very much to the Minister for that response. What steps are being taken by the Education and Training

Inspectorate (ETI) to minimise the occurrence or impact of stress during school inspections?

**Mr O'Dowd:** There has been engagement between the ETI and the unions, which has seen a change even in how we report on our inspections. I understand that inspections are stressful for teachers and schools. We often hear of the negative side of inspections. Every year, I host an event in the Long Gallery upstairs at which maybe 100 or 150 schools are presented with certificates for outstanding and good inspections. The pride in that room is unbelievable among the teaching staff, the principals and the boards of governors, and rightly so, but neither the media nor anyone else reports on it.

Inspections are good for schools, in my opinion; they are good for the education system. Yes, they should be carried out in a respectful manner and in a manner that does not cause undue stress to the schools or the teachers etc, but they are there for the benefit of our education system. We learn from the best practice, we share best practice and we want to see all our young people being taught in schools that live under the heading of Every School a Good School.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. What action is the Minister's Department taking to address the health and well-being needs of the non-teaching staff in our schools?

**Mr O'Dowd:** There is a suite of HR policies and procedures in place to support the health and well-being of our non-teaching staff. A number of family-friendly agreements, which recognise the competing pressures on staff, have been negotiated with the trade unions. For example, all staff have 24-hour counselling support and individual counselling services provided by Carecall on behalf of the Education Authority. In addition, the authority employs welfare officers who are available to support staff and to signpost them to specialist services that can provide further support for individuals. Grievance procedures and harassment and bullying policies are in place, as are whistle-blowing policies for circumstances in which staff require formal mechanisms for having any grievance or concern addressed.

**Mr Lunn:** Mr McGlone asked the question that I wanted to ask, but I will develop it slightly. Anecdotally, we hear that school inspections are, obviously, very stressful and that, when the inspection is concluded, the school is left with an impression of a result that is not finally recorded when the final report comes through. Is the Minister aware that hopes are raised and then dashed, effectively?

**Mr O'Dowd:** I receive varying commentary from schools around inspections. I cannot verify every report I receive, but the majority of reports around inspections that I receive from schools are good. Yes, there is a period of worry leading up to the inspection and, yes, there is a concern while the inspection is taking place, but, once the inspection is complete, schools report back that they are satisfied or happy with the way in which procedures were carried out. A number of individual schools have different commentaries around that. They would question what they have been told and what ends up in the final report etc.

I come back to the point that I believe that inspections are good for the education system at this time. The inspectors are professionals who carry out their duties in a professional manner, and their reports, whether good or

bad, need to be taken on board by schools and lessons learned from them.

### School Principals: Budget Management

4. **Mr Newton** asked the Minister of Education for his assessment of the qualifications, skills and knowledge required by a school principal to manage their budget. (AQO 9002/11-16)

**Mr O'Dowd:** The board of governors of each school funded under the common funding scheme is responsible in law for the management of a school's financial allocation. A board of governors is expected to manage a school in accordance with the memoranda and guidance issued by the relevant funding authority and may delegate certain activities to the principal in accordance with a school's financial memorandum. While employers do not have to specify any particular qualifications on budget management for prospective or serving principals, it is not unusual for essential criteria relating to principals' posts to include a management qualification at postgraduate level. Outside formal qualifications, there is an expectation that those who seek to undertake the role of principal or those who are already in a principal's post will have skills and knowledge in budget management. Those skills will have been gained in undertaking leadership roles at middle and senior levels in schools and/or through training, including the professional qualification for headship for those who aspire to be principals or as part of an induction provision for newly appointed principals.

**Mr Newton:** I thank the Minister for his answer. Given what he has outlined with regard to a principal's role, which is separate from a principal's role in a special school, can he explain why the principal of a special school cannot achieve the same standard of management of his or her whole budget in the school from the commencement of the academic year?

**Mr O'Dowd:** Special schools are funded in a different manner from grant-funded schools under the common funding scheme. That is why. We have a number of funding schemes set out in the education system. We have funding schemes for voluntary grammar and voluntary integrated schools. We have funding schemes under the common funding scheme and we have funding schemes for special schools. It is a different process.

**Mr Rogers:** I agree that the professional qualification for headship is an important qualification. What practical help is there for newly appointed principals in developing their budget skills; in particular, things like mentoring or coaching by experienced principals?

**Mr O'Dowd:** The important aspect of my answer was that the budget management of a school is the responsibility of its board of governors; it is there to work with, support and manage the school. Powers may be delegated to principals, but let me repeat: the board of governors of each school funded under the common funding scheme is responsible in law for the management of a school's financial allocation. It is the responsibility of the board of governors, not simply that of the principal.

In response to the other part of your question, yes, newly qualified principals do receive support through mentoring programmes etc but they should also receive support from their board of governors.

### Hollywood Multi-schools Project

5. **Mr Dunne** asked the Minister of Education for an update on the Hollywood multi-schools project. (AQO 9003/11-16)

**Mr O'Dowd:** Due to a number of factors, including sustainability and area-planning considerations, the Hollywood multi-schools project has not been included in any of my announcements to date for new capital builds. In order for the project to be taken forward, it would need to be included in a future capital announcement. Any such announcement will be dependent on the capital budget available to the Department of Education in the next Budget cycle for April 2016 onwards.

**Mr Dunne:** I thank the Minister for his answer. Does he fully recognise the need for new-build schools in Hollywood? I appreciate that, some time ago, he visited Priory Integrated College, Hollywood Nursery School and Hollywood Primary School. Once again, I reiterate that the five schools in the town are all over 50 years of age. Does he recognise the need for investment to address how they have been under-resourced for many years?

**Mr O'Dowd:** I recognise the need for a new-build programme in Hollywood; there is no argument about that. The point is that we need sufficient funds to carry the projects forward.

There are numerous schools awaiting new builds, and I would welcome Members' support in lobbying for an increase in the capital budget for education, even for the next term, when I will not be Minister. Education deserves an uplift in its capital budget. The investment benefits not only the school and the school community but the local economy. Yes, schools require new builds, but, to achieve those, we require more capital.

**Mr Lyttle:** In addition to support for investment across the Hollywood multi-schools project, will the Minister acknowledge that Priory Integrated College is in need of planning and capital funding assistance, and does he agree that there is oversubscription for integrated education in neighbouring education areas? On those grounds, will he assure the House that he will stand and deliver for integrated post-primary provision in the area?

**Mr O'Dowd:** I have already said to Mr Dunne that the schools in Hollywood require new builds, and that includes Priory. I am not going to get into whether there is oversubscription or underprovision for schools in the wider area. I have visited the school and have met the principal on more than one occasion and the board of governors on more than one occasion. Yes, we need to build a new Priory College, but, to do that, I require money. There are many, many schools in the system that require new builds, but it is about getting around to them all.

### Key Stage 3

6. **Mr Weir** asked the Minister of Education how he plans to resolve the dispute over the return of Key Stage 3, which has resulted in 12 partnerships not receiving funding under the shared education signature project. (AQO 9004/11-16)

**Mr O'Dowd:** I am currently engaged in discussions with teacher trade union representatives in an effort to resolve the current action of non-participation in the statutory assessment process.

**Mr Weir:** I thank the Minister for giving a succinct answer. Given that one of the major problem areas here is the lack of confidence among teachers in the assessment process, what consideration is being given to having greater direct input from teachers in the future design of Key Stage assessments?

**Mr O'Dowd:** I acknowledge the brevity of my answer, but sometimes it is "Less said, easiest mended" in these circumstances. We are involved in detailed negotiations with the unions, and both sides have approached the negotiations with a mindset of resolving this. I hope that that mindset remains in place and we will be able to resolve it. Central to our discussions have been the work and the professional judgement of teachers on levels of progression, as well as reassuring teachers and putting in place mechanisms that put that judgement at the centre of levels of progression. The judgement of the teacher is central, and working in conjunction with his or her colleagues in the school is how we would moderate them. It is also about how we moderate them in conjunction with the professional judgement of neighbouring schools. That is what is at the centre of our discussions. I am attempting to offer reassurances to the unions on how that will be achieved.

**Mrs Overend:** I feel that I should inform the Minister that different Education Authority areas have made differing recommendations to schools that have applied for the projects. Some are proceeding with their projects in good faith that the funding will be forthcoming, whereas others are not. Will he seek not only to find a resolution but to ensure that there is a uniform message to all schools and all tranches throughout the system?

**Mr O'Dowd:** I would certainly expect one message to come out from the Education Authority, regardless of the location of a school or the location of the office where the advice is coming from. I will follow that up to make sure that singular advice and recommendations come from the Education Authority. As I have assured Mr Weir or attempted to assure him, I am doing my utmost to bring the matter to a resolution.

**Mr Deputy Speaker (Mr Beggs):** That ends the time for listed questions. We now move on to topical questions.

## Education: Parental Choice

T1. **Mr D McIlveen** asked the Minister of Education what weight should be put on parental choice when deciding that a child should be sent to a particular school. (AQT 3071/11-16)

**Mr O'Dowd:** "Choice" has entered the common terminology around these matters, but the legislation actually refers to "parental preference". I am supportive of parental preference. Against that, however, you have to bear in mind that, when evidence points you in a direction that suggests that a type of education or a type of admissions criterion in education is damaging the education system, there is a responsibility on legislators and decision-makers to rectify that.

3.15 pm

**Mr D McIlveen:** I thank the Minister for his answer. The Minister may be relieved to know that I am not going down the road of academic selection with this question. In my constituency, which includes Ballymena, parental

preference, as he puts it, was that fewer places would be required for Cambridge House Grammar School, which I know the Minister approved. However, that has not been the case with Slemish College, which has consistently found itself oversubscribed. There clearly is an appetite amongst parents to move towards that.

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

**Mr D McIlveen:** Thank you, Mr Deputy Speaker. Does the Minister have any intention to mitigate the reduction in places at Cambridge House to the advantage of Slemish College, where there is a huge demand and parental preference is very clear?

**Mr O'Dowd:** I have asked the Education Authority in that context to bring forward a plan for post-primary provision in the Ballymena area and the wider area of Ballymena. While we have made decisions in and around Cambridge House and Ballymena Academy, that is not the finished plan, nor should it be. We need to ensure that there is sustainable post-primary provision in that area. With regard to Slemish College, the only way to increase numbers substantially at a school is through a development proposal. That is brought forward by the Education Authority and is then brought under my consideration under a two-month public consultation process. I cannot make any predetermined decision on that, but I have asked the Education Authority to look at post-primary provision in that area.

## Controlled Schools Sectoral Support Body: Timescale

T2. **Mr Weir** asked the Minister of Education for an update on the creation of the controlled schools sectoral support body, particularly the timescale for departmental funding of that body. (AQT 3072/11-16)

**Mr O'Dowd:** As the Member will be aware, work is progressing to establish a controlled schools support body, as agreed by the Executive in 2014 and then through legislation in the House. A business case to support the establishment and funding of the council has been completed. A contract for the funding is being prepared and will shortly be issued to enable the controlled schools sectoral support body to be formally established.

**Mr Weir:** I thank the Minister for his answer. What impact does he believe the creation of the controlled schools sectoral support body will have on the teaching appointments scheme for controlled schools?

**Mr O'Dowd:** A positive impact. The Education Authority has put in place measures ahead of the creation of the controlled schools sectoral support body regarding the formal process that has to be in place for the teacher appointments committee. I do not see any difficulties moving forward in the teacher appointments committee and the setting up of the controlled schools sectoral support body. I jest when I say "positive", but I am serious that it will have a positive impact.

## Kilronan Special School: Accommodation

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Go raibh maith agat, a Aire as an fhreagra sin.



T3. **Mr McGlone** asked the Minister of Education for an update on the provision of accommodation for Kilronan Special School in Magherafelt. (AQT 3073/11-16)

**Mr O'Dowd:** I have recently signed off correspondence to the Member on the matter. I am happy to provide him with a further update, but he will understand that a considerable amount of correspondence comes through my Department. I am aware that I signed off correspondence to you yesterday, but I do not have the full detail in front of me.

**Mr McGlone:** That is good to hear; I hope that it is positive. Is the Minister aware of the pressing and urgent need for accommodation at that school? Can he give me some idea of when moneys will be released from his Department for the provision of that accommodation?

**Mr O'Dowd:** I have been lobbied by a number of MLAs in relation to the specific school and the accommodation needs around it. I do not wish to sound like a broken record — it is not an easy reply to give or a dismissive reply to give — but the reality is that I do not have sufficient funds in the capital budget in my Department to deal with the outstanding, urgent needs of our schools across the estate. We have had to put in place measures and policies to meet health and safety and disability access requirements in a number of schools. I have said to the Member that I have outlined to him in correspondence the current position, and I am more than happy to give him a further update when it is available.

**Mr Deputy Speaker (Mr Beggs):** John McCallister is not in his place.

### Educational Underachievement: Protestant Working-class Children

T5. **Mr Moutray** asked the Minister of Education for an update on what his Department is doing to tackle educational underachievement among Protestant working-class children. (AQT 3075/11-16)

**Mr O'Dowd:** I believe that the policies that my Department has in place are tackling and will tackle educational underachievement. The issues surrounding Protestant working-class boys go beyond education — though education has a role to play — and beyond the school gates. I acknowledge and recognise a number of measures being taken by community groups in working-class Protestant areas to tackle educational underachievement. I think that there rests the additional work that will assist us in breaking down educational underachievement among Protestant working-class boys.

**Mr Moutray:** I thank the Minister for his response. To some extent, I agree with him. However, the recent Equality Commission report was quite damning. It said that standards are worse now than they were in 2007. Will he work with the other Departments and bring it to the Executive to ensure that the issue is addressed with a sense with urgency?

**Mr O'Dowd:** The Equality Commission report is a draft report. I have met the commission on the report and have discussed some of the language used by and attributed to it. Standards are not worse now than they were in 2007. That is a fact. Educational underachievement is decreasing, but not at the rate at which any of us would like. I give you the example of free school meal entitlement, by which we measure these matters. Last year, 5% more

young people in that category received five good GCSEs than was the case in the previous year, and in the year previous to that, there was an increase on the previous year, so matters cannot be worse in that area than they were in 2007.

There are areas of inequality where there are concerns that it is going in the wrong direction rather than the right direction. However, we are beginning to see an improvement, with an upward trend, in educational underachievement, whether it be among Protestant working-class boys, Protestant working-class communities or other working-class communities. I emphasise the fact that I believe that the education policies and the steps that I have taken will help to tackle the matter. However, the answer lies in the work being carried out by a number of community groups in Protestant working-class communities, and that is where we need to show support.

### Edenderry Nursery School

T6. **Mr Humphrey** asked the Minister of Education to assure him that the issues at Edenderry Nursery School in the greater Shankill, which is part of the estate of Glenwood Primary School, will be resolved as soon as possible, with construction starting in the new year, given that he will be aware that the contractor was meant to be on-site in September 2015 but was not and there have been issues between his officials and officials from the Belfast region of the Education Authority. (AQT 3076/11-16)

**Mr O'Dowd:** I can assure you that, if my officials have concerns about capital projects, they will move very quickly to resolve them, as the record will show. I am not aware exactly of what the issues are, but as in any dispute — I use that word advisedly — it will take both sides to resolve it.

**Mr Humphrey:** I thank the Minister for his answer. He will be aware that, in my first question, I raised the issue of Glenwood Primary School, and he will know that I have raised the issue before. I, along with my colleague Nigel Dodds MP, recently met the principal and the chair of the board of governors on the issue. We as a party are very keen, as are the principal and the governors, to see a new school put in place for Glenwood in the very near future. Can the Minister assure the House that there will be no impediments to that and that a new school will come to fruition for the benefit of young people in the greater Shankill and their education?

**Mr O'Dowd:** Yes. The Member will be aware that, during our discussions about Malvern Street, we were always conscious of the perceived knock-on impact on Glenwood. I can assure the Member that I remain committed to building a new primary school for Glenwood and to ensuring that we invest in the education of the young people in that area.

### Transgender Pupils: Guidance for Schools

T7. **Mr Flanagan** asked the Minister of Education, following a response to a question for written answer that he received last week about the potential for issuing guidance to schools on how to meet the needs of transgender students with regard to uniforms, changing rooms and toilet facilities, whether he accepts that the



issuing of guidance to schools would be a welcome step forward to help them to meet the needs of their students. (AQT 3077/11-16)

**Mr O'Dowd:** I think that it will be a welcome step forward. I want to be in a position to send out informed guidance, so I have commissioned a survey across our schools to ensure that I meet the needs of LGBT young people in our schools. A survey has been commissioned and will be distributed, and the information will be brought back to me. Once that information is back with me, I will issue guidance that reflects the needs of transgender pupils in our schools.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. Will he indicate whether he is willing to engage with his counterpart in the South, Jan O'Sullivan, who has also commenced the process of trying to develop guidance for transgender students? Does he accept that there is merit in not only surveying students here but taking the view of the maximum number of people across the island of Ireland in order to develop the best possible practice?

**Mr O'Dowd:** I am due to meet Minister O'Sullivan as part of an North/South Ministerial Council meeting later this month and am more than happy to raise that issue with her to see what information she can give or assistance she can be to my Department.

**Mr Deputy Speaker (Mr Beggs):** Nelson McCausland is not in his place.

### Youth Council of Northern Ireland: Review

T9. **Ms Sugden** asked the Minister of Education when he thinks a review of the Youth Council of Northern Ireland will be presented. (AQT 3079/11-16)

**Mr O'Dowd:** I still require some details and have asked my officials for further information, but I hope to be in a position within a number of weeks to make further announcements.

**Ms Sugden:** Is the Minister able to clarify the administrative costs for the Youth Council that he presented to the Committee? I submitted a freedom of information request, and there seems to be a discrepancy.

**Mr O'Dowd:** I am not sure whether the Member flagged up to me the apparent discrepancy previously. Standing at the Dispatch Box, it is very difficult for me to know what exactly she is referring to. If the Member wishes to follow up that matter with me, I am more than happy to engage with her on the apparent discrepancy.

**Mr Deputy Speaker (Mr Beggs):** The Member listed at question 10 has withdrawn their name, so that is the end of the period for questions to the Minister of Education. I ask Members to take their ease for a few moments.

## Question for Urgent Oral Answer

### Enterprise, Trade and Investment

**Mr Deputy Speaker (Mr Beggs):** Mr Jim Allister 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, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary.

#### Michelin Plant, Ballymena

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to outline the steps being taken to protect jobs and secure the future of the Michelin plant in Ballymena.

**Mr Bell (The Minister of Enterprise, Trade and Investment):** Over the past number of years, Invest Northern Ireland has assisted Michelin Tyre plc with a number of financial interventions totalling £4,754,297. The objective of those interventions was to secure Michelin's competitive position within the Michelin Group. The recent announcement is due to issues relating to an overcapacity of circa five million truck tyres in Europe and a substantial increase in imports of truck tyres from the Far East, particularly China.

Invest Northern Ireland has been in regular contact with senior Michelin personnel and was engaged in ongoing discussions related to further investments. Clearly, therefore, today's announcement is extremely disappointing. My Department and Invest Northern Ireland will, of course, engage with the company to fully understand its decision to close the plant, and we appreciate the company's commitment to support its employees in finding alternative employment with its £5 million development fund. Invest Northern Ireland will work with the company and all the relevant partners, including Mid and East Antrim Borough Council and the Department for Employment and Learning, which has been extremely helpful throughout this process, to help staff to consider all the alternative employment options.

#### 3.30 pm

**Mr Allister:** This has been a catastrophic blow for Ballymena on the back of the equally devastating loss of JTI. What my constituents and I want to know is whether the Department, the Executive and Invest NI did all they could and should have done to avert this situation. We note that many of the jobs are going on foot of a £52 million investment in the Dundee plant: what did Scotland offer that Invest NI did not offer? Has the contact been towards increasing the productivity and capacity in Ballymena? On the critical issue of energy —

**Mr Deputy Speaker (Mr Beggs):** The Member has asked his question.

**Mr Allister:** The Unite union says that it met the Minister in July on this very issue —

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mr Allister:** — and, three months later, is waiting to hear from him.

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

**Mr Allister:** Were the Minister and Invest NI asleep at the wheel?

**Mr Deputy Speaker (Mr Beggs):** Order. Members are allowed to ask the question and are then called to ask a supplementary question. I allowed the Member to ask two supplementary questions, and he intended to persist further. I ask the Member to respect the Chair.

**Mr Bell:** Invest Northern Ireland was meeting the company almost if not actually on a monthly basis. There were reports as recently as September that did not indicate to us this announcement. I got news of the announcement at about 11.00 am today. At 10.00 am, no information was being given out.

The Member raised some questions about Invest Northern Ireland. Invest Northern Ireland has an excellent track record in attracting foreign direct investment to the mid- and east Antrim area. I appreciate that the Member is from North Antrim, and I appreciate the work that Ian Paisley Jnr, the Member of Parliament, has already done around the generous redundancy arrangements that are there and on the £5 million development fund that is there to assist and support people who are devastatingly affected by the situation.

I grew up as a child in Belfast in the 1980s in a working-class community. I know from friends and family exactly how devastating unemployment can be. However, I want to put it on the record that, in 2013-14, in terms of foreign direct investment in the mid- and east Antrim area, 4,760 jobs were created and, over the four-year period from 2010 —

**Mr Allister:** Not one visit to North Antrim. Not one.

**Mr Deputy Speaker (Mr Beggs):** Order.

**Mr Bell:** Mr Deputy Speaker, can I resume the statement? Thank you.

In 2013-14, 4,760 jobs were created through the excellent track record of Invest Northern Ireland. From 2009-2010 to 2013-14, there were 23 inward visits. Invest Northern Ireland —

**Mr Allister:** Not to North Antrim.

**Mr Bell:** Mr Deputy Speaker, those were to the mid- and east Antrim area. I am sure that the Member will be aware that, according to the last census, some 40% of people in Northern Ireland work outside their parliamentary constituency. We are looking at the mid- and east Antrim area, the 4,760 jobs that were created and the 23 inward investments. Invest Northern Ireland has made 83 offers to support inward investment projects that have led to over £84 million of investment. Since we got the news, my officials have been in contact with Michelin, and I understand that it has no complaints about the support that Invest Northern Ireland gave.

I say to the Member, who seems to think that shouting will help somebody's constituency, that I understand the difficulties that Michelin faced. There was a downturn of five million tyres in the market, which is difficult to deal with. Our responsibility now is to see what we can do to create real employment and training opportunities. I have just finished a detailed meeting with the Minister

for Employment and Learning on what we can do about putting the colleges to work to ensure that people who need accreditation for skills that they already possess can have it. We need to see what the Social Security Agency and all the relevant agencies can do. Working alongside Minister Farry, we will put together individual and group programmes. The Northern Regional College is available and will work constructively to respond.

There is a good skill set. While some people may wish to talk down Invest Northern Ireland and the skills of people in North Antrim and in the mid- and east Antrim area, they should remember that, with Wrightbus, Schrader, Randox and Moy Park, we have some of the world's leading companies in this area. I understand that Schrader and others are advertising jobs today. We will do all in our power to ensure that the families who have had devastating news coming up to Christmas are given every opportunity to achieve new employment.

**Mr Deputy Speaker (Mr Beggs):** I remind Members and the Minister that there is much interest in the subject, so I ask them to be concise in their questions and answers.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his intervention in the issue.

It would be helpful if the Minister could give us an indication of how many meetings have taken place directly with him on the matter. This issue has cropped up time and again. I realise that Ballymena and north Antrim have been brutalised over this last wee while with Patton, what some of us know as Gallaher's and now Michelin. The European globalisation adjustment fund, which has been ignored for whatever reason, is used in other parts of the EU to help and support people at this drastic, awful time for them and their families.

**Mr Bell:** I thank the Member for his question. As for Invest Northern Ireland's support for Michelin Tyre plc, there were quarterly reports and, I understand, monthly visits. I understand that some people are saying that they predicted the closure: I understand that the Member of Parliament was even in recent discussions with the local management of the company and others and we were unaware that the plant was to close. Even though I was getting texts and emails as early as 10.00 am today, the official information that we were given as a Department was around 11.00 am and was embargoed until 12.00 noon.

The company was nearing completion of an investment programme of £11.7 million that commenced in 2008. It was extended to enable expenditure up to 2015 to be eligible. Over the last five years, the company was also offered £1.226 million for training and development. In 2014, Invest Northern Ireland offered a £750,000 capital grant in support of the installation of an in-house plant to generate a percentage of Michelin's electricity requirements. That project was to have commenced in 2017. The Invest Northern Ireland team has worked closely with Michelin management to improve the Ballymena plant's competitiveness in relation to other Michelin plants.

Progress had been made in many areas with inter-group efficiencies, but there has been an oversupply. I understand that cheap imports have forced Michelin's senior management to take this decision. There were other competitive pressures that are outside Invest Northern

Ireland's control or influence such as energy costs, distribution costs and, particularly, currency fluctuations.

**Mr Frew:** I have just left the Michelin plant where I met John Milstead, the plant manager on the site, and I spoke to many employees who are absolutely devastated at today's news. Can I ask the Minister and other Executive Ministers to do everything in their power to enable the proper training and support to be placed in Michelin and, indeed, Ballymena, given the job losses at JTI, B&Q, Patton and other businesses in that area of late? Can I ask the Minister to ensure that people in his Department and other Departments who are at the coalface of this will support those employees as much as they can? Can I also ask the Minister —

**Mr Deputy Speaker (Mr Beggs):** The Member has asked his question.

**Mr Bell:** I understand the position that people are in, having experienced it in my own family and seen how devastating news of unemployment can be. I also understand that this is going to be a phased process over two and a half years. The First Minister and deputy First Minister have already spoken on this situation today. I want to assure the Member that everything will be done by the Executive and right though leadership level. I have already had a meeting with the Employment and Learning Minister, which, although very difficult in its content, was very robust and healthy as we look to see what we can do in a collaborative exercise.

I welcome the fact that there is a generous redundancy package. I welcome the fact that there is a £5 million community development fund. I have also been speaking to the Member of Parliament for the area, Ian Paisley Jnr. While others have shouted, he has been responsible for our bringing in a number of potential investors and orders from Singapore, Taiwan and Gibraltar. He hopes to see some success coming from those visits in the not too distant future. This shows that it is important to actually do something about the circumstances, as opposed to shouting from a sedentary position.

We will do all in our power with the Social Security Agency. We will do all in our power to help people, who may have come in at 16 or 18 years of age and have skills that they can transfer. The Employment and Learning Minister and I, along with the colleges, will ensure that we get those people on to short courses or whatever is needed. I understand from the Minister that the Northern Regional College is ready to act to get those people accredited.

While there has been the difficult news, and you have also outlined correctly some of the big difficulties that there have been in the area with JTI and others, it is important to emphasise that there are some world class facilities in the area. I mentioned some of them earlier: Wrightbus, Schrader, Radox and Moy Park. They are recruiting. They are looking for skill sets. We will do all in our power to support those who are losing their jobs and tailor their skills towards quality alternative employment.

**Mr Deputy Speaker (Mr Beggs):** I remind Members that this is not an opportunity to make a statement. It is an opportunity to ask a question.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I have been speaking today to many employees and their families who have been left utterly devastated

in the mouth of Christmas. We need to do all that we can for those families in the weeks and months ahead. Does the Minister now recognise that there is a crisis in manufacturing? We have a growing list of manufacturers that, because of a number of factors already alluded to, are looking elsewhere. What can be done to prevent this drip feed, where they are increasingly looking towards the east, but also to Britain, because of cheap imports and energy costs? These issues have not been addressed. I am concerned about the fact that the Unite union has said that it has raised issues with you that have not been acted on. Will the Minister explain what the situation is in regard to the Unite union and what strategy he will now put in place to prevent this happening again and to prevent it happening to the families who are left devastated in north Antrim this evening?

**3.45 pm**

**Mr Bell:** First — if you do not listen to anything else that I say — the thing that will transform and game-change heavy manufacturing in Northern Ireland is a reduction in our corporation tax. I know that the parties are working very hard, and I hope to see a positive response, with a date and a rate set to reduce corporation tax. The information that I am getting from the Economic Policy Centre is that, if we set a date and a rate of 12.5% in 2017, we could create 30,000 to 40,000 new jobs in Northern Ireland and grow our economy from 2017 to 2033 by 10%. If there is to be a game changer, it is for all the parties to assist me in getting that date and rate of corporation tax set and lowered. I cannot go into the confidential details of the companies that I am dealing with, but I assure the House that there is significant investment in terms of jobs and our economy if we can set that date and rate. Even if we were to set it later — most companies work on a three- to five-year plan — I am informed that a lot of that investment will occur immediately.

There are challenges that we have with energy costs. I had a general meeting with Unite in July and we did discuss energy costs. I have to deal with energy costs, but I also have to deal with the security of supply and the burden that there would be on the domestic householder. There are things that we have to manage, but there are other things on which we can produce a game changer. I say to the House again that a prize of over 30,000 new jobs for Northern Ireland will be the game changer that will transform our economy if we set a reduction of our corporation tax and the date for when that is to be done. Friends, that really is a prize that we cannot afford to miss.

**Mr Swann:** Minister, I have listened to your platitudes for Invest NI, but I assure you that they will be of little solace to the 860 families in and around north Antrim tonight who are looking at a future without a job or a major breadwinner. The redundancy packages may be generous, but they do not put a salary into those houses.

You have referenced the great training opportunities that will be coming forward and the opportunities in the future from you and the Employment and Learning Minister. Those are the same opportunities that have been offered to the 1,200 employees from JTI, the 200 from B&Q and the 500 from Patton. Now, 860 have been added to that —

**Mr Deputy Speaker (Mr Beggs):** Will the Member come to his question?

**Mr Swann:** — from Michelin. Where are the job opportunities to come from? I do not see them. Corporation tax would not have kept JTI, Patton, Gallaher or Michelin.

**Mr Bell:** It is important to talk up the skills that exist in the constituency to potential investors. The Member, foolishly, refers to “platitudes” to Invest Northern Ireland, but, as I said, the track record of creating 4,760 jobs for families is not platitudes; the offer of supporting inward investment with over £84 million is not a platitude; and the 23 inward investment visits are not a platitude. The legislation has been passed, and we have a chance in the House to set our date and rate of corporation tax.

The Member, foolishly, may think that he knows more than the likes of Professor Neil Gibson and others from the Economic Policy Centre, which provides independent advice. If I may, I will take the advice of the top three economists in Northern Ireland instead of his foolishness. We are told that we have an opportunity of 30,000 to 40,000 new jobs coming from one of the top three economists in Northern Ireland —

**Mr Swann:** *[Interruption.]*

**Mr Bell:** The Member may want to shout down 30,000 to 40,000 new jobs. In that case, he would be failing not only north Antrim but Northern Ireland.

**Mr Dickson:** Thank you, Minister, for the information that you have brought to us this afternoon. Minister, you are now back in office, and although I accept that this news came to you out of the blue today, maybe there were other opportunities that you missed by not being here.

Energy supply seems to be key to maintaining large manufacturing industry in Northern Ireland. What action will be taken to ensure that the North/South and Moyle interconnectors will be up and running and delivering electricity at competitive European rates? What actions will you take beyond that taken by the Minister for Employment and Learning and the Office of the First Minister and deputy First Minister to contact counterparts in Europe to ensure that the matter is resolved?

**Mr Bell:** The Member started with some sniping before coming to a very constructive question. There was nothing indicated in the monthly visits to Invest Northern Ireland. Without going into the contents of a private meeting, I can say that, when the Member of Parliament Ian Paisley visited the local management, nothing was raised with us to indicate that there were any difficulties. The most recent quarterly report, from September, I think, indicated that output was up. Therefore, the first part of your question — the sniping — does not really count.

As to energy costs, the Executive are putting £30 million into expanding our gas infrastructure to give consumers more choice. We have faced a difficult choice in balancing continued support for renewables against consumer bills. I have put forward proposals that avoid putting that additional cost on to Northern Ireland consumers. The Utility Regulator is working to reform the single wholesale electricity market on the island of Ireland, because wholesale costs make up two thirds of our electricity bill. A review of the competitiveness of our energy markets has been undertaken by the Utility Regulator, and that has recently concluded that competition is effective. Although it is a big difficulty, it should be noted that most businesses

have energy costs around the EU average. I appreciate, however, that large-scale users have comparatively higher costs than their competitors. We do not get exact figures, because they negotiate their contracts separately. We have to do something, but there are things that we cannot do. There is a triangle: costs are there, yes, but there is also security of supply and emissions. You cannot just take costs without looking at security of supply and emissions. You must take a balanced approach.

For this House, the game changer — I will repeat this until I am blue in the face — is setting the date and rate of corporation tax. If we look back in 16 years' time at up to 40,000 jobs lost and an economy underperforming by 10%, the salience of what I am saying will be considerable. Let us set the date and rate, and let us give back to our manufacturing a competitive advantage.

**Mr D McIlveen:** The Minister will be aware that, even in the darkest days of this Province, Ballymena was recognised as a private sector powerhouse owing to its high level of private industry. There is a real, genuine fear in the area that that reputation is slowly but surely starting to slip away. Does the Minister agree with me that a task force should be set up as soon as possible, with all the relevant stakeholders, to ensure that Ballymena's reputation as an economic powerhouse for the private sector is not further damaged?

**Mr Bell:** I assure you that anything that I can do in a task force capacity, as an Executive Minister or through working most directly and currently with the Minister for Employment and Learning, will be done for the people involved. It is important that we take a whole view of the mid- and east Antrim area.

It is also important that we take a look at foreign direct investment in Northern Ireland. Northern Ireland has outperformed the rest of the United Kingdom. Up until August 2014, we talked about outperforming every other part of the United Kingdom with the exception of London, and people said that we could not compete against London. However, from August 2014, we overtook it. We have more foreign direct investment coming to Northern Ireland. Do not take my word for it: take the word of 80% of the foreign direct investment that has come to Northern Ireland. Those businesses have subsequently reinvested. Eighty per cent of everybody who has sucked it and seen has put more investment into Northern Ireland. The area still has companies such as Wrightbus, Schrader, Randox and Moy Park. It is still a world leader, and we will do all in our power to ensure that it stays that way.

**Mr Agnew:** The Minister said that no concerns were raised during the monthly meetings with Invest NI, but, as has been said by a number of Members, UNITE raised concerns in July and was told that it had nothing to worry about. Why did the Minister not listen to UNITE, and why did he not act on its concerns?

**Mr Bell:** I had a very positive meeting. I am not sure that the summary that the Member has given is accurate; it is certainly not an accurate account of my recollection or of the people who were with me at that meeting. I understand that press releases have gone out. I understand also that when UNITE requested that meeting with me, we asked whether it had anything specific, and it said that there was no specific area that it wanted to speak about. It was talking about general issues that affected UNITE and



general issues that affected our manufacturing strategy. We had a very constructive and healthy meeting with UNITE. I was a trade union member for over two decades. I had a very constructive and healthy meeting with members of UNITE in July. It should be said that there was no indication at that stage, either from Michelin, the local management of the company or anybody else, that there were any difficulties leading to today's announcement. As I said, as recently as a couple of weeks ago, the Member of Parliament met local management, and we did not have any indication that this was going to happen. We discussed then what we would do with energy costs. I said, and I always will say, that the best way to create quality jobs and employment for our people in Northern Ireland — we cannot use the state aid as we did before; the European rules forbid that. We can debate whether they are right or wrong, but they are there, and I have to observe the law — is to set a date and rate of corporation tax that could create 30,000 to 40,000 new jobs and grow our economy by 10%. Creating employment and quality employment is everything that any sensible trade union would want to take forward.

**Mr McNarry:** Will the Minister report back to us on this despairing situation and tell us what Michelin's intention is? Is there a future beyond 2018, and are there production challenges that it is willing to entertain? If not, where are those jobs in Ballymena to take on the skilled workers between now and 2018?

**Mr Bell:** The information that I got from the company this morning was that it was going to close the complete site. For what it is worth, I have every empathy with the 860 people who have been told that they have lost their jobs. There are 70 contractors as well. My information is that it will be a phased rundown over two and a half years. I hope that we can learn some lessons from the good practice that there was with JTI in retraining and generous redundancy support for families.

I understand that Michelin faced a major challenge. In addition to energy and logistics, it faced a major challenge because there was a £5 million downturn in the truck tyre market and real challenges from the Asian market. I understand that it regarded each of its five European sites as inefficient. There are logistical issues, but we have to look at what we can do, which is to use that £5 million from the community development fund constructively. We can ask the people who are working there and whose employment is going to be phased out over the two and a half year period what skills they have that could be utilised by other companies in the area — Wrightbus, Shrader, Radox and Moy Park. The advertisements are out there. What do we need to do either to accredit their training or to upskill them to put them in a position where they can take advantage of the jobs that are being advertised?

#### 4.00 pm

What we can do — the Employment and Learning Minister has put the Northern Regional College on notice with its full agreement — is put courses in place for people who have the skills but do not necessarily have the certification of those skills, so that they can get the necessary certification, to go on their CV, to render them eligible for those jobs. We will look at their skill sets, make one-to-one and group appointments and bring to people's attention the advertisements that, I understand, exist for

jobs in the area. However, it is not just about the jobs that exist in the area: we can bring jobs in. I am in a privileged position as Enterprise Minister: I know that significant global companies are looking at Northern Ireland. They intend to bring investment and jobs, if this House gets its act together and sets a date and a rate for corporation tax: 30,000 to 40,000 jobs are a massive opportunity that we cannot afford to miss.

**Mr Deputy Speaker (Mr Beggs):** That is the end of the period available for the urgent oral question. Unfortunately, not everyone who had indicated was able to question the Minister.



# Private Members' Business

## Post-primary Transfer Process

*Debate resumed on motion:*

*That this Assembly notes that a solution to the post-primary transfer process has not been found; further notes that a one-size-fits-all educational system will not work; believes that it is becoming increasingly unacceptable that, every year, thousands of young people are sitting unregulated transfer tests and that primary schools are placed in the difficult position of mediating between parental demand and Department of Education policies; further believes that the ongoing politicking of the issue does not address the seriousness of the matter; and calls on the Minister of Education to convene talks with all the major stakeholders in order to build consensus and agree a way forward on the issue. — [Mrs Overend.]*

**Mr Newton:** I rise to support the motion, but not with a lot of enthusiasm. I do not see the need to divide the Chamber, but I think that the motion might be described as being somewhat unskilled and sloppy in its construction. I refuse to believe that Danny Kennedy was happy with the construction of the motion, given his ministerial experience, his usually forensic mind on political matters and his long-term political experience. Given all that, I cannot see him being happy with the motion as it stands.

It is a great pity that the DUP amendment was not accepted, because it would have done three things —

**Mr Deputy Speaker (Mr Beggs):** Order. I remind the Member that it is not in order to speak about an amendment that was not selected.

**Mr Newton:** I apologise, Mr Deputy Speaker. The motion would have benefited from rewording to confirm that schools have the right to use selection and that there is no community consensus on the way forward. Indeed, the motion should have taken up the clarion call from parents and others for cooperation between those who provide the selection tests, to work together to the benefit of children, parents and, indeed, the schools.

Despite the words that have been used earlier about the selection process, parents still want to get their children into grammar schools, as is their right. The mover of the motion indicated as much when she said that there was a growing number — 14,000 plus this year — who will sit the selection tests for grammar schools. Parents are generally supportive of grammar schools, and they are supportive of them because they are ambitious for their children. Grammar schools, however, should not be seen as a reason for underachievement in other sectors.

I welcome the fact that the Assembly today decided to form an all-party group to address underachievement. It has the perhaps more ambitious title of promoting educational excellence, but its intent is to address underachievement. It is, I think, an excellent initiative by Assembly Members to pick up the gauntlet.

Addressing underachievement is necessary. We need further initiatives, from various Departments, to address and tackle it. I welcome the initiative taken by OFMDFM under its signature project: having additional teachers to tackle numeracy and literacy problems proved successful.

While the motion does not do any overall harm, I think that it could have been constructed in a much more purposeful and meaningful way to take the subject forward.

**Mr McCausland:** Like the previous Member who spoke, I support the motion, but I concur with his view that it could have been better had it been more pointed and productive.

We are living with the legacy of the flawed decision of a previous Sinn Féin Minister to abolish the transfer test. The fact is that Sinn Féin set out to do something and found itself unable to do it. It wanted to abolish, to completely remove, any form of academic selection. That proved impossible. That was a case of Sinn Féin setting out to do something that it did not manage to do, and, in the process, it made the situation more problematic for everyone. It was an ill-thought-out, ill-conceived and ill-considered development.

The fact remains that reports on educational underachievement are frequently misused and abused to justify a political stance against academic selection. That is a flawed analysis that does a disservice to children, schools and parents. It hones in on one issue that is not the real issue, thereby diverting attention from all of the real issues that contribute to educational underachievement and which need to be addressed if we are to achieve the academic excellence that we all desire.

I am afraid that, during today's questions for oral answer, the Minister reiterated that view. I was disappointed that his colleague Mr Hazzard, in the context of asking a question on the subject, referred to a "final rump" of schools. That is a somewhat disparaging term to apply to schools striving to do the best for the children who attend them. It was, I think, inappropriate.

The fact is that many factors lead to underachievement, and there has to be a multifaceted approach if we are to address it. That is why a member of my party proposed the establishment of an all-party group designed to advance educational excellence and address educational underachievement.

We have seen interventions to address underachievement. They need to be made at a very early stage, not at the later stage of transfer from primary to secondary education. The real problems emerge at a very early stage, which is why we have had early years interventions, and I know that the Minister supported a number of those initiatives. There have been early years interventions in the Colin area of west Belfast and in integrated services in the greater Shankill area. If we are to achieve the outcome that we want, we should focus on those areas a great deal more. Nurture units in primary schools are another example of early intervention.

To get back to the core issue of the transfer test and process, the fact is that there is no consensus. That has been clear for a long time. I think there is little sign or, indeed, evidence that a consensus can be reached. Among schools, parents and all stakeholders, there is a range of views and opinions, and I am not sure that a consensus can be reached. The motion calls for striving toward an effort to reach a consensus. I am just not sure that it is necessarily there. What we should be doing is affirming the right of schools to academic selection. It is one that is now recognised and established. It is there, and it is something that very many parents want. Many parents value it and want their children to have a grammar school

education. In that case, let us focus on the real problems, which are around the issue of underachievement.

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

**Mr McCausland:** As for the transfer test itself, it would be ideal if we had it regulated again. Sadly, I think that the Minister and his party are going to oppose that.

**Lord Morrow:** I, too, have great problems with the motion. If I were to support it, it would be under duress, because I believe that the motion fails to tell us what it is trying to do and trying to say. As a matter of fact, when I read it, and read it again, I handed it on to someone else without speaking and they said, "I am not sure what that motion is trying to say."

I think that Mr McCausland has hit the nail on the head. No one on this side of the House will stand up today, tomorrow or any other day and say that we have a perfect education system here in Northern Ireland, but I think many of us are prepared to stand up and say that we have a good education system in Northern Ireland. Of course, as Mr McCausland said, our problems go back some time to when Martin McGuinness took over as Education Minister. In a fit of pique, when the Assembly was going out of business, he ran into this House with an ill-thought-out plan and abolished the 11-plus. In saying that, I am not for a moment saying that the 11-plus was a perfect test or a good system. However, you would not take something away until you had something else to put in its place; that is, except if you were totally irresponsible. As we now know, that is exactly what happened.

I am sure that Mr Kennedy will do it when he speaks, but I cannot draw from the motion whether it compliments the new exam or is critical of it. It does not make that clear. I believe that the system that is now in place is as good as the 11-plus. Indeed, my opinion is that it is better. That is a personal opinion, and I will allow everybody else to have their personal opinion on it, too, but I do know for sure that having nothing in its place just left a vacuum.

I listened to Chris Hazzard. He was critical of grammar schools but then he went on to say — now he is shaking his head; he is not so sure, you see — that the grammar schools have a place. Maybe sometime, not today, he could come to the House and explain what role he sees for grammar schools. He tells us that he is a product of one and that he got a good education from it. Is he going to deprive his offspring and everybody else's of the good system that he benefited from? Is it solely for him? Now that he has got his day out of schooling, he thinks that it is time for all change.

**Mr Hazzard:** I thank the Member for giving way. He is looking for a bit of clarity. I think that I went to great lengths to say that I have absolutely nothing against grammar schools except their system of admissions. I want everybody to be afforded the chance of going to some of our best schools. I went to a grammar school, but not everybody in my family nor all my friends were afforded that chance, and we have all ended up in different walks of life. We want to be able to give every child the possibility of attending our very best schools.

#### 4.15 pm

**Lord Morrow:** I listened carefully to what Mr Hazzard said. He said that not all his family and not all his friends went to a grammar school. Were they deprived of going, or did you go because you were such a brainy boy? Is that what you are trying to tell us? You cannot have it both ways. I know many people who did not go to a grammar school and made magnificent achievements. Equally, I know that many who went to grammar schools were quite spectacular students and achieved much in their day. I accept that one size does not fit all. The motion tries to —

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

**Lord Morrow:** Yes, I will.

**Mr Weir:** I do not know whether Mr Hazzard is putting down a marker that, if you go to a grammar school, you might end up as an MLA. If so, that may be the strongest argument against academic selection that has been offered in the debate.

**Lord Morrow:** You were going to give me another minute, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr Beggs):** Yes.

**Lord Morrow:** I listened carefully to what Mr Weir said. Some MLAs did not go to a grammar school, and some of them perform quite well as constituency representatives. I see that even the Minister agrees with me; it is not often that I get him to agree with me on anything, but he is agreeing with me on that.

We are not for one minute saying that grammar schools are the be-all and end-all. All children have different abilities and skills, and there are great achievers, whether they go through the grammar school stream or in a different direction. Many people achieve later in life, and some such people are in the Chamber. Mr Weir mentioned that they ended up here, and they are living proof of a wonderful achievement.

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

**Lord Morrow:** I agree with the motion that one size does not fit all. I apologise because I will probably not be here to hear what Mr Kennedy says, but I will read his contribution with great interest.

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

**Lord Morrow:** I have to rush to another appointment. When Mr Kennedy speaks, will he clarify whether the motion is criticising the new test?

**Mr Allister:** It certainly betokens the abject failure of devolution to handle education matters that, all these years into this experiment, the relatively straightforward and essential matter of transferring children from primary education to secondary education continues to be bogged down in dispute and be deficient in any properly controlled or regulated system. I have no difficulty in recognising that that is all part of the belligerent agenda of Sinn Féin to bring anarchy to the education system that it so abhors. That betokens the failure of devolution.

To transfer kids from primary school to secondary school, we have to have a system outside the primary school structure and unregulated from within the primary school structure, whereby kids sit exams that are set by

the grammar schools to see whether they are eligible to attend those schools. At the same time, every bully-boy tactic available is used by the Department to threaten the primary schools that dare to do what parents expect them to do: prepare their children for the next step in their educational journey. If that step includes undertaking an AQE test or something else, the full weight of threat and authority from the Department is brought down on the heads of those schools. How dare they try to do what parents expect and equip their children to make the transition from primary school to grammar or secondary school?

That bully-boy tactic is a very negative influence.

Of course, we require some form of selection; I am quite clear on that. Whether we like it or not, it is a fact that not all children are bestowed with the same talents, aptitudes and capabilities. Some are marvellously bestowed in mechanical matters and others are marvellously bestowed with academic talents; but we kid ourselves if we think that all children, with the right tuition, will be produced at the same level of talent in every possible discipline. It is, of itself, absolute nonsense.

The system refuses to recognise that reality. It refuses to recognise that, for some children, the most that can be taken out of them and the most that can be given to them is by encouraging and allowing their academic talents to flourish; and that, for others, the most that can be taken out of them and the most given to them is by encouraging their non-academic talents to flourish. To deny the opportunity to allow both to flourish by simply seeking a great conglomeration, where you settle for the lowest common denominator, seems to me to be absolute folly.

That, of course, is the philosophy that drives the Minister. He wants to bring everyone down to the same level, so that you can say that there is equality across the board in talent, instead of wanting to exploit, build and grow the talent and aptitude of whatever nature. Therefore, the one-size-fits-all approach that the motion refers to is an absurdity; it is an absurdity that is being perpetuated by those decisions.

The AQE test, for example, is very well calibrated and very well tested and proofed. It is an excellent test of children's ability.

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

**Mr Allister:** It is not the only test, but it is excellent in all those regards. I only wish that something of that nature and order was permitted to operate properly within the education system. We could then see the talents grow in this Province.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to respond to today's debate, which relates to the system of transfer from primary to post-primary education. However, at the heart of the system, are our young people of 10 and 11 years of age. This Saturday, many of those children will sit a test that will determine the school that they will transfer to next year. Setting aside my views on the necessity of those tests for a moment, I would like to acknowledge that this is a very stressful time for those children. I would like to wish them well and remind them that, however they perform in those unnecessary tests,

they will get the chance to fulfil their potential at whatever or whichever school they intend to move to.

I also commend the parents who have decided that their children will not sit those unnecessary tests. The vast majority of our parents are caring and nurturing and want the best for their children. Too often in our education debates, we concentrate on those who rush to sit a selection test, who have to sit a selection test or who allow their children to sit a selection test because their peers are doing so. I am on record today and on many other occasions as saying that I understand why parents are placed in that position, but I also commend the parents who make the conscious decision to refuse to allow their children to be used in that manner.

Throughout the debate — and Hansard can be checked, double-checked and triple-checked — no one has put forward an educational argument for academic selection. No one has put forward an educational argument for academic selection in 2015. Mr Allister was the last Member who spoke, so his argument is freshest in my mind. When I hear the argument that all children are not created the same, that all children have different skill sets and that some children may be mechanically minded and others academically minded, he may find it surprising that I do not disagree with him.

I agree with you. What we disagree on is this: why do you need to separate those children at age 11 or 14 and send them to a different school.

**Mr Allister:** To bring the best out of them.

**Mr O'Dowd:** Why do you need to separate them? We can ignore what all the international evidence shows. Many of you may wish to ignore me and the Department of Education on this matter, and that is OK. However, there is a lengthy list of international bodies that all point to the fact that academic selection does not work educationally and that it has a detrimental impact on your education system. My colleague Mr Hazzard read out a list of such bodies, which has been dismissed by some.

Can you dismiss the UN Committee on the Rights of the Child? Can you dismiss the Equality Commission? Can you dismiss the Human Rights Commission? Can you dismiss the OECD experts in education? Can you dismiss those high-performing educational systems internationally that are not only outperforming our education system but are also outperforming our academically selective schools? Our academically selective schools are not competing at the level of other non-selective education systems globally.

We ignore all that evidence and set up a wee Committee to look at educational underachievement so we can go to the doors next year and say, "Oh, we do care about educational underachievement; we have set up an all-party working group on it". However, if your all-party working group is serious, it will have to look at the international evidence. When you examine the international evidence, you either follow it or disband your all-party working group, because you are going nowhere if you ignore the evidence.

Let us go back to why we separate these children, the academically gifted, at age 11, because you cannot tell whether they are academically gifted at 11. I do not care how good the AQE test or the GL test are or if they come together in an unholy alliance and produce a new test, you

do not have evidence before you of the abilities of a child at age 10 or 11. You have a moment in time that can be, and is, coerced by a number of factors, which is damaging not only to the individual but to our education system. It is coerced because evidence shows us that if you come from a socially mobile background, you will do OK in the AQE, GL, 11-plus or whatever you want to call it. If you come from a socially deprived background, you will not.

The evidence also shows us that, whether it is a state-sponsored or a non-state-sponsored test, coaching will get you through it. So, you are coached for the test and you get through it and you go off to a selective school. What is the first thing that you will find? You will find that this school, which you have been coached to attend, teaches the exact same curriculum as the school down the road that your friends were not coached to attend. They will go through the same curriculum, they will go through the same teaching, and will be assessed in the same way. Educational pathways are open to them, whether academically, vocationally or otherwise; and, come the age of 14, decisions will be made about their future educational pathways, the best direction of travel for each individual pupil. Decisions will be made in conversations with the parents, the pupil, the teacher, and they will move along a pathway that suits their needs. That pathway can adjust —

**Lord Morrow:** Will the Minister give way?

**Mr O'Dowd:** I will in a moment. However, in the academically selective world, when you reach the age of doing your mock GCSEs or your GCSEs and you do not do so well, there is a wee quiet conversation in the office where they say, "I don't think you suit here", and you are left behind.

Is that what education is about? Is that what everybody here adheres to? Individually, pupils are disadvantaged, but the evidence shows us a more disturbing thing. Academic selection damages your education system, and here is why: international and local evidence shows us — many fine non-selective schools in our society prove it to be true — that when children of different abilities and from different socio-economic backgrounds are taught together they all do better than they would if separated: all of them do better than if they were separated.

Therefore, why are we separating our children at 11 or at 14? It is not for educational reasons but for social reasons.

#### 4.30 pm

There is a wee battle going on between the unionist parties over the middle-class unionist vote. The DUP changed its position on academic selection somewhere in the mid 1980s, but it still went into the St Andrews peace negotiations — they were peace negotiations — and insisted that academic selection be retained on the statute books unless the Assembly said otherwise. The DUP has never explained adequately why it went into peace negotiations and insisted that a system that has been proved to be detrimental to Protestant working-class communities be retained. Never has it explained that. I have no doubt that the Protestant working-class communities will go out and vote for the party again, and the DUP will produce its wee graphs and say, "We do care about Protestant educational underachievement". However, when it supports a system that embeds educational underachievement, it cannot stand by that

claim. Perhaps, at some stage, the DUP will explain why it went into peace negotiations to uphold a system that was detrimental to the Protestant working-class community.

The Ulster Unionist Party has been an advocate of academic selection. There have been many criticisms of the motion. I have read it several times, back and forth, but I am pretty sure that it means, "You need to do something, but academic selection stays". That is basically what it says. If you do not deal with the core problem of the system, however, what is the point? We could produce a state-sponsored test. It would be very easy to produce a state-sponsored test, but it would not solve the problem in the system. You would still be dividing young people on the basis of social class, not educational ability. You would still have the same consequences for your education system by way of educational outcomes for those on the tail of underachievement and for our highest-performing pupils. International evidence tells us that even our highest-performing pupils should be doing better. Our grammar schools — the selective schools — are not competing against the best in Europe or the best in the world. Why is that the case? The all-party group on tackling educational underachievement will spend several months discussing that. It will look for every reason and excuse for why that is the case, but the reason will always come back to this: when you look —

**Lord Morrow:** It will blame you.

**Mr O'Dowd:** Yes, it will blame me.

It will always come back to this: the international evidence shows that the highest-performing education systems are non-selective. Why do they benefit from being non-selective? It goes back to the point that I made earlier. Children from different socio-economic backgrounds and with educational abilities learn from one another. Therefore, why do we divide them? If they learn from one another, and all boats rise in the high tide, why do we separate them? Somebody needs to explain to me the educational purposes of dividing children, if the evidence shows that they do better when they are educated together. No one has done that thus far.

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

**Mr O'Dowd:** Yes, I will give way.

**Mr Allister:** Does the Minister believe in and support streaming in secondary schools? Streaming is a soft type of selection.

**Mr O'Dowd:** I have no objections to streaming, but there is an interesting debate in education at the moment around it. Again, we have good local evidence of that. Streaming is selection within the school, but it shows that all young people can be educated together in the one school. You can move between streams, friendships can be retained from primary school into post-primary school, and there is no social division. All of the evidence suggests that, yes, young people can do better that way.

Look at St Patrick's in Keady, which is no longer streaming. It is educating all abilities in the one class. Look at the results that are coming out of that school. They are very impressive and informative. As has been mentioned, the school recently received a Times Educational Supplement award for its innovative work in and around education.



I am the Education Minister, and I am a parent. I have high ambitions for my children. I hear the like of Mr Allister saying that my motive is to destroy our education system and to bring everybody down. My motive is more scary for him. My motive is to bring everybody up. My motive and my belief in equality is this: everybody should have the same chance in life, regardless of creed or need. That scares Mr Allister more than his belief that I am here to wreck the education system, because nothing could be further from the truth. My children are in the education system. I want my children to succeed. I want the education system to succeed. I want the economy to succeed. The previous debate was about job losses in Ballymena. That shows us, if we need to know something, that educating simply along the old model will not benefit the modern economy.

**Lord Morrow:** Will the Minister give way?

**Mr O'Dowd:** I will in a moment. I think that this is the second time.

**Mr Weir:** You did not give way the first time.

**Mr O'Dowd:** Did I not? Sorry.

Our economy is changing. The old certainties of the past are gone. Whether it be heavy manufacturing or some of the old academic pathways, they are all changing, and we have to have an education system to suit them.

I will give way to the Member.

**Lord Morrow:** Thank you. At least I made it on the second attempt. I ask the Minister directly: if what he says is right, why is it that the numbers who are taking the transfer test are increasing year on year? I think that, at the last count, they were up by some 400 or 500. Are you saying that all those who are taking this test are under duress?

**Mr O'Dowd:** I am happy to be wrong. The difficulty for those on the other side of the argument is that internationally respected bodies are saying that academic selection damages the education system. I do not know whether the figures that are quoted every year showing a rise in the numbers who are taking the test are right, because we have one organisation saying that they have 6,000 taking the test and another organisation saying that they have 8,000 taking it, but I am also commonly told that many children sit both tests. How do we know whether there is a rise in the numbers taking it?

What is also quite clear from commentary and debates in the media around this matter is that there are parents whose children sit the test because they support academic selection, and there are parents whose children sit the test because the local school has put a barrier in the way and they have to get over it. Other children sit the test because their peers are sitting the test and they are never going near a selective school anyway, because their parents put them through it. In this equation, numbers do not mean that there is overwhelming support for academic selection.

I will say, as I said earlier, that yesterday proved that there can be changes in public opinion and there can be change in this House. All those who are opposed to academic selection in society, and all those who are in favour of equality in society, need to get out and campaign for change, because the marriage equality movement proved yesterday that you can change people's minds. Trade unions, civic society and equality organisations need to follow the lead that has been given by the Catholic bishops

and the Catholic Principals Association on this matter. They need to get out and campaign for change.

**Mr Kennedy:** I am grateful for the opportunity to wind up this debate on behalf of the Ulster Unionist Party. First, I want to make some general remarks about the context of the debate.

In recent weeks, I have rejoined the Education Committee after a 13-year hiatus. In the first flush of devolution in this House, between 1998 and 2002, I chaired the Committee. What happy memories! I remind Members that it was a time when the education debate was particularly dominated by the thorny issue of post-primary transfer. It was a time when we had the Burns report, the Gallagher report and major consultation exercises which involved a household survey. It was a period of great public debate; sometimes heated, but mostly serious and quite focused. Looking back now, I think that there was an opportunity then to create broad agreement about replacing the 11-plus with something better which would have commanded widespread public support.

It is worth remembering that there was widespread agreement in some areas: the need to replace the 11-plus test, the concept of a new form of assessment through a pupil profile, and some of the proposed admissions criteria. In addition, the suggestion that 14 was a more appropriate age for a pupil to decide upon an academic or a more vocational route was gaining traction. Certainly, I have been a strong admirer and supporter of the Dickson plan system, which operates very successfully in the Craigavon area despite the obvious and continued attempts by the Minister of Education to dismantle and abolish it.

The household survey was quite interesting at the time because it said that 30% of respondents were in favour of abolishing academic selection but 64% were in favour of retaining it and 7% were undecided. Fifty seven per cent of respondents in the household survey wanted an end to the then 11-plus examination. Fundamentally, I am not sure that those percentages have significantly altered over the years.

At the time, the Ulster Unionist Party said that the transfer test in the form of the 11-plus was unsustainable and that a replacement selection process should be developed. We favoured a transfer system based on a pupil profile developed in the primary system, accommodating parental input but with a final decision resting with the school on the basis of approved criteria. Our goal then was, and remains, that all schools should come to be viewed as equivalent in the value of the education that they provide.

Of course, the debate ended abruptly on 11 October 2002, when Martin McGuinness, in his last act as Education Minister, in an act of political malice and educational destruction, declared the end of transfer tests. That act was described by a distinguished figure in education at the time, Monsignor Denis Faul, now deceased, as:

*"dictatorial, made without reference to the Northern Ireland Assembly or the education committee of the assembly. It was a one-man decision that can be classed as anti-democratic."*

Therefore, it killed off any emerging consensus and polarised the debate, and, 13 years on, we are not much further on. The last 11-plus examination was in November



2008, and we now have non-departmental, non-state, independent tests.

I want to assure Lord Morrow before he ushers himself away to other business. Had he listened to the proposer of the motion, my colleague, Mrs Overend, he would have heard her say that the AQE and the PPTC deserved credit for the professional way in which they have gone about organising their entrance tests and that we were not aware of any complaints about the fairness of the system. Our complaint is that they are independent and, therefore, unregulated and they ought to be regulated by the Department of Education. Perhaps there is more than a hint that they operate on a polarised and almost sectarian basis, which is not their intention and is not their proper use.

We do want to see change and, unfortunately, as Sandra in proposing the motion has described, the issue of post-primary transfer is really another elephant in the room. There are so many elephants gathering in that room and there are more elephants in this Chamber than in Bellevue zoo, but that seems to be the way of it. It seems that, in this mandate, the big two parties of Sinn Féin and the DUP have come to a truce, and they seem to be content to let AQE and GL continue with their tests for grammar entrance, while the Minister can pose as being ideologically pure and can occasionally send threatening letters to primary schools for daring to prepare pupils for those transfer tests. It is a thoroughly unsatisfactory state of affairs, and that is what the motion seeks to address and make progress on.

I want to deal with some of the contributions made by Members. Mr Weir and other DUP colleagues, including Lord Morrow, Nelson McCausland and Robin Newton, had nothing good to say about the motion, but they had not produced any motion themselves, and one felt that that was the major criticism; that, short of bringing forward a DUP motion, anything else would be unsatisfactory. I think that we can deal with that. There was common agreement from DUP Members that the current situation is unsatisfactory and needs to be addressed, and that we should take steps at least to insist on some urgent discussion. I suppose that the action point from the motion is that the Minister of Education, rather than sitting on his political theory of Marxism and old-style socialism that makes Jeremy Corbyn look like a moderate —

4.45 pm

**Mr O'Dowd:** Will the Member give way?

**Mr Kennedy:** I am happy to give way.

**Mr O'Dowd:** There is another well-known Marxist revolutionary who is opposed to academic selection. You might have heard of him: Michael Gove. He hardly falls into the category of being a Marxist. This debate transcends political ideology. It is an education debate, and many people from different political ideologies have come to the conclusion that academic selection damages your education system.

**Mr Kennedy:** I have listened carefully to Michael Gove, and you are no Michael Gove — I am happy to confirm that. *[Laughter.]* I am afraid that what we have left are the politics of envy, not only educational envy, it seems, but social envy from the Minister and his party. That is very regrettable indeed, and it is not the basis on which to

proceed on education for the future of all of our children. I am not the product of a grammar school education, and neither are my children, but I want all children to succeed and be encouraged to achieve their best.

A school mentioned by some in the debate, St Patrick's in Keady, is in my constituency. It is an excellent school, but it is unthinkable that no degree of assessment takes place there. That, in its own form, is selection. This play on words to satisfy —

**Mr D Bradley:** Will the Member give way?

**Mr Kennedy:** No, I do not have time.

There is a play on words to satisfy old-style Marxist ideology that allows people to pretend that selection does not exist and is not practised —

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

**Mr Kennedy:** — in almost every form. I commend the motion to the House.

*Question put.*

*The Assembly divided:*

*Ayes 55; Noes 24.*

#### AYES

*Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Ms Hanna, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mr McKinney, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Somerville, Ms Sugden, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr Kennedy and Mrs Overend.*

#### NOES

*Mr Boylan, Ms Boyle, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Hazzard and Mr McMullan.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly notes that a solution to the post-primary transfer process has not been found; further notes that a one-size-fits-all educational system will not work; believes that it is becoming increasingly unacceptable that, every year, thousands of young people are sitting unregulated transfer tests and that primary schools are placed in the difficult position of mediating between parental demand and Department of Education policies; further believes that the ongoing politicking of the issue does not address the*

*seriousness of the matter; and calls on the Minister of Education to convene talks with all the major stakeholders in order to build consensus and agree a way forward on the issue.*

**Mr Deputy Speaker (Mr Beggs):** I ask Members to take their ease for a few moments.

**Mr McCallister:** On a point of order, Mr Deputy Speaker, I apologise to you and the Minister for missing a topical question.

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

*Motion made:*

*That the Assembly do now adjourn. —*  
*[Mr Principal Deputy Speaker.]*

## Adjournment

### Impact of Rates on Small Businesses in South Belfast

**Mr Principal Deputy Speaker:** The proposer of the topic will have 15 minutes, and all other Members who speak will have approximately six minutes.

**Ms Hanna:** I thank the Minister, in particular, for her presence in the Chamber, and I acknowledge the publication last week, post my tabling of this debate, of her Department's review of the non-domestic rating system and the useful information contained in it. This is definitely the graveyard shift and I feel that I should possibly just email you and let everybody get away, but we will go through the motions anyway. I apologise on behalf of my colleague Fearghal McKinney; he has had to travel to Ballymena.

It is important that we, in the Assembly, get to grips with the form of taxation over which we already have control, namely domestic and non-domestic rates, which, between them, raise £1.17 billion annually. With the proposals that I am making, I acknowledge that we cannot propose to recommend rates relief unless we can balance it with some compensating revenue-raising measures. All the parties in the Assembly, including my own, have been united in demanding that Westminster devolve the power to reduce corporation tax in order to be competitive with the Republic and to attract foreign direct investment. It is my personal belief, and it is on the record, that the ship of foreign direct investment has probably sailed and that we are too late for that party. We have the absurd position that parties are lobbying for the right to give a preferential rate of tax on businesses, which may or may not come to Northern Ireland, while government is perceived to be ignoring the businesses in our town centres and on our high streets that have been here for decades, are creating a substantial number of local jobs, and are owned by local people.

I do not want to rehearse too much the complaints that have been often made in the Assembly about the decline of the retail sector and traditional high street shopping. I have lived in south Belfast since the age of three. I grew up about 30 metres from the Lisburn Road and had my first taste of the working world in a newsagent and restaurant there, neither of which, unfortunately, survived the downturn.

In south Belfast, we reputedly have the most sought-after retail location outside the city centre, namely the Lisburn Road, which is followed, not too far behind, by the Ormeau Road. Like all retail outlets in every city and town in these islands, the Lisburn Road, Ormeau Road, as well as Finaghy, Carryduff, Saintfield Road, Botanic and all other clusters of businesses are under unprecedented economic pressure and face substantial decline.

We know the reasons for that: changes in shopping patterns, the growth of online and out-of-town shopping, and various parking and traffic issues. All those factors

have put traditional high street shopping under stress. However, the biggest single factor over which we have control and can do something about is unaffordable business rates. The situation with business rates, as I am sure you have heard from constituents, significantly worsened for many post-revaluation in 2015, implemented from this April. We were told that it was to be a revenue-neutral exercise, but it has thrown up incredible anomalies in rate collection.

The Northern Ireland Independent Retail Trade Association (NIIRTA) claims that 45% of its members saw their rate bills increase from between 20% and 200%, which, I think everyone would agree, is an absurd and unjustifiable variation. The net asset values (NAVs) for many properties have been set so high that businesses in south Belfast cannot benefit from the small business rates relief designed to help them.

Depending on which of the 11 council areas a business is located, rates vary from 51·66p to 59·5p in the pound compared with 48·2p in England. That means that in Northern Ireland, some businesses are dealing with 20% higher rates than a comparable business in comparable premises across the water. That is in addition to the other costs of doing business in Northern Ireland.

Land and Property Services (LPS) now typically demands anywhere from £5,000 to £10,000 in rates to trade in an average-size shop or office in any town centre or on any main street in Northern Ireland, regardless of the trade or profitability of the business being undertaken, or indeed of the office or charity. Anybody who has attempted to open a constituency office will know that. That is an absolutely unsustainable burden for many and has contributed directly to the proliferation of boarded-up shop fronts and of charity shops, which are, of course, tax exempt.

Northern Ireland has one of the lowest numbers of businesses per 10,000 of the population and has experienced a 2% fall in the number of businesses since 2010, compared with a 10% increase in, for example, the south of England. We are not helping to foster an entrepreneurial culture because it is immensely difficult for a start-up business to locate in any of our towns or local shopping stretches because of business rates and the fact that, quite simply, many banks will just not lend to a business start-up that hopes to trade on a high street.

On Saturday past, I walked the length of the Lisburn Road, which is less than two miles from the King's Hall to Bradbury Place. I counted seven charity shops in operation, and no fewer than 42 business properties, retail and office accommodation, that were for sale or rent. They were vacant in one way or another, including substantial properties, such as the former Majestic cinema and the Malone Exchange, probably in excess of 2,000 square metres.

I want to give a few examples of the effects of rate and rent issues, and some of the anomalies that have been raised with me in south Belfast and further afield.

In my constituency, a fairly upmarket furniture shop opened about 10 years ago and closed this year. I was told — I have been trying to confirm this — that, in the shop's last year of trading, its combined rent and rates bill was £240,000 a year, or £4,600 a week. I am advised that a small, family-owned food business elsewhere in my constituency has the same rates bill as quite a large, metro-style chain supermarket less than half a mile up

the same road. In a city outside of Belfast, the owners of a hotel — a family business — pay business rates of £255,692 per annum, which is just short of £5,000 a week. I was given a direct comparison between that hotel, which has 110 bedrooms, and a 100-bedroom hotel in a town in the midlands down South that has full conference facilities, a nightclub, a pub and a leisure centre. Its business rates are €120,000, which equates to roughly £90,000. The difference is a massive £165,000. In Scotland, a business located in a premises with an annual NAV of £10,000 will not pay any rates. A comparable business here will pay between £4,100 and £4,760, depending on which council area it is located in.

I am sure that the Minister will agree that that is a heavy financial burden for any business. It goes some way to explaining not only the proliferation of vacant shops but the low level of business start-ups when compared with our neighbours across the water and down South. We now have the situation that, in Britain and the Republic, central and local government are proactively trying to implement innovative ways to attract business start-ups into town centres to regenerate and revitalise neighbourhoods. At the same time, we appear to be ignoring the fact that our policies are driving people out of town centres. Put simply, the annual NAV — more precisely, the antecedent valuation date (AVD) of the rental valuation of property as at 1 April — has been set far too high by LPS.

I want to touch briefly on the collateral and wider damage that occurs when a business shuts. It is not just the jobs that are lost when the shutters come down. There is a stifling of investment and destruction of the value of assets. Owning commercial property is now looked on almost as a financial liability by most banks and as impaired security for lending. More broadly, however, the nearby communities suffer the ill effects. Councils have to pick up the tab for dereliction, vandalism and related antisocial behaviour, and street renovation. I know from growing up in south Belfast that the coffee shops and ice-cream parlours provide the vital shared space that the Assembly insists that it wants to provide, but businesses are thwarted from doing so. Ultimately, dereliction is also providing us with a lower rates income than we would have if those empty premises were trading.

Many councils have drawn down funds from OFMDFM to regenerate their town centre streetscapes — that has happened in Belfast too — to try to encourage footfall to return to the shops. I support their efforts. They are trying to use what powers they have to do what they can. However, the problem is that, in many cases, we just have attractive streets with empty shops instead of unattractive streets with empty shops. It is a Northern Ireland version of the Potemkin village. Regardless of what councils try to do, what I am hearing from businesses is that they feel that the Assembly is ignoring the reality of what is happening and sidestepping the decisions that we need to take to bring entrepreneurs and vibrancy back to our high streets.

What can be done? I am sympathetic to a lot of the case that NIIRTA and other representative bodies have made that small businesses are facing a perfect storm of high costs of running their businesses and all the consumer spending pressures that we know exist. I support a lot of their proposals. I also have some of my own, which I will run through now. In the first instance, rates have to be fair and reasonable and, in some way, linked as far

as possible to the profitability of the business. NAV or affordable market value (AMV) is supposed to be linked to the rents obtained, but LPS is judge, jury and executioner in its own cause, with very limited grounds for appeal. That cannot be right. I am sure that all representatives have had concerns raised with them by local traders about the opaque and, at times, fairly arbitrary processes that LPS seems to have in its decision-making.

### 5.15 pm

Second, there needs to be a ministerial policy change in relation to the actions of LPS to make it less aggressive in its NAV assessments and revise the majority of NAVs to the rents actually payable on the property, rather than selectively choosing rental deals that were struck possibly at the top of the property boom as supporting evidence. That will need LPS to be considerably more transparent and more open-book with the information that it makes available. It should also be said — we have limited control of market value — that many landlords, frankly, are continuing to charge boom-time rents in order not to reduce the perceived value of their property.

Third — this is a simple enough one — the rates poundage set by the various councils across the 11 council areas mean that we have 11 different rates for some 6,000 square miles. That is silly. It should be capped and consistent across Northern Ireland. It should possibly be capped at a similar rate to GB.

Fourth, there needs to be a hard and probably quite uncomfortable look at some of the rating exemptions that are currently in place. Of 73,000 business premises subject to rates, 10,000 are fully exempt from rates. While I accept that there are probably very good reasons for those exemptions to be in place and that you do not want to withdraw them from the businesses that have them, the bottom line is that, when the system has become so onerous that it requires so many exemptions, the slack is obviously being picked up by other businesses and the system is becoming so inconsistent and increasingly illegitimate.

Fifth, vacant premises, particularly in town centres, are no good for anybody. I touched on some of the issues around antisocial behaviour that result. One of the attractive features that people will see when they are in mainland Europe is people living above the shop. I hope that we can try to find new ways to incentivise people to do that, which would give vibrancy to our high streets and town centres after 6.00 pm when, traditionally, business owners currently all go back to the suburbs.

Sixth, if it is not possible to consider rates reductions, can we give consideration to finding an alternative use for long-term vacant property, and perhaps remove the requirement to go through planning to have a change of use to residential? I believe that that is a policy that is in operation in GB and is helping to remove blighted vacant buildings from high streets. The occupancy level of all high streets for actual ratepayers could be measured for every town, village and area in south Belfast, and any streets that have occupancy levels of below 50% could perhaps be considered for a rates exemption for new businesses in those streets for the next year or two or three, and a rebate could potentially be given to other ratepayers already located in those streets. Mechanisms should be put in place to give demonstrably loss-making businesses

a rates holiday if that could help to save the business. Perhaps that is a realistic proposal. Business rates for empty premises could be waived or reduced if somebody has made the effort to let it out at a reduced level.

I will finish up by saying that business rates reform is overdue. As I said, I welcome the Minister's paper on it and the consultation, but it is the single greatest lever that the Assembly has. Banks are not lending, due to high rates. Employment is not being created. Entrepreneurship is being stifled. Business rates are perceived as being a form of austerity, the same as public-sector cuts are. We are genuinely stifling economic growth. Obsessing on the value that we might get from a reduction in corporation tax is building castles in the air if we do not change policies to support businesses that are here now.

**Mr Principal Deputy Speaker:** As this is Mrs Pengelly's first opportunity to speak as a private Member, I remind the House that it is the convention that a maiden speech is made without interruption, unless the Member becomes rather controversial.

**Mrs Pengelly:** It gives me great pleasure to speak today on the issue of small business rates in my beautiful and diverse constituency of South Belfast. I am humbled to have the privilege to carry on the mandate of my predecessor, Mr Jimmy Spratt, who retired due to serious ill health. Jimmy spent most of his career in selfless service in the RUC before entering the world of politics, where he proved to be a robust representative for the people of South Belfast.

I pay tribute to his work. I wish him a long and happy retirement and trust he will spend many happy times with his wife Lynda and children and grandchildren from whom he gets such joy. I hope to do his legacy proud, to be a strong advocate for all in South Belfast, to work tirelessly to make a positive difference across the constituency, and to help bring about a better and brighter future in Northern Ireland.

In Northern Ireland, we are a people of strong and oft-times opposing views, not just on constitutional issues but on many others across the spectrum of political ideology. Through my previous role, I had the great privilege to meet many thousands of people from right across the political and community spectrum, and, to me, one thing is clear: whatever divides us from time to time is so much less than that which we have in common, and that which separates us is nothing when compared with the strong bonds that hold us together. So, what is this common thread? Hope, hard work, compassion and a mutual aspiration to build, from the ashes of our past, a strong and better future.

Last night, I watched the very moving 'Nurses on the Frontline' documentary. What a testament to strength, resilience and the power of endurance over adversity. There were many who lived and worked in my constituency in hospitals and on the front line, as paramedics and as firemen and women, and in the army and the police, who dealt with some absolutely horrific things, and did so with the utmost care and compassion, regardless of background, creed or faith. What a debt we owe those public servants. And I know, absolutely for sure, that I do not want anyone to live through such a thing again.

One of my favourite poets said that the past:

*"despite its wrenching pain, Cannot be un-lived, but if faced With courage, need not be lived again."*



That is my hope and aspiration for the present and future of our beautiful land, but to achieve it requires focus and attention. I will strive tirelessly to make Northern Ireland work, to move Northern Ireland forward and make a better future for all, regardless of faith, politics, sexuality, race or gender.

Today's Adjournment debate is on rates in south Belfast. Northern Ireland is a country of small business. It is a country that, through the worst of the Troubles, was supported and lifted up by the many thousands of family businesses that built our economy when others would not or could not invest. Small business was a strong foundation that, through our darkest days, lifted us up, and that remains so today.

The DUP is proud of its record on supporting small business. We have worked closely with great organisations such as the Northern Ireland Independent Retail Trade Association (NIIRTA) to develop policy to support small business. We were, for example, the first region across the UK to introduce the innovative scheme of small business rate relief. We are also conscious that much more can be done to support small business as we emerge from the difficult economic downturn that devastated so many. That is why we are looking closely at a range of further proposals to help further and support growth in the sector.

South Belfast is a diverse constituency, where the best and highest quality can be celebrated, but where challenges and poor outcomes can so often overshadow. I want to work with DFP to look at innovative ways, including examining the rates system, to encourage and incentivise investment in those areas so desperately in need. One example is across our urban village areas in south Belfast. There are high levels of poverty, dereliction and vacancy. I am looking forward to working further with areas such as the Lisburn Road in developing the business improvement district and helping our urban villages and centres such as Finaghy and Stranmillis.

I know from speaking to my ministerial colleagues that there is a commitment to building a robust economic future for Northern Ireland. Small business is a key part of that. Government alone cannot solve the big challenges that we face, but, working in partnership across parties, Departments and agencies with communities, individuals, families and the private sector, I know that we can make Northern Ireland great. Let us have a vision that we all can share: support our small businesses while growing the economy and attracting foreign direct investment, protecting people and tackling educational underachievement and social deprivation.

I have a passion for people and a passion for positive change. I hope that you will accept the hand that I extend to you today and work with me in pushing forward a positive agenda for bringing hope and a better future to South Belfast and Northern Ireland.

**Mr Ó Muilleoir:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome junior Minister Pengelly's comments. I thank another South Belfast colleague Claire Hanna for securing the debate at 5.00 pm on a Tuesday.

When I think of the contribution of small businesses in South Belfast, small retail businesses in particular, it is clear that what we are discussing today is not only about trying to foster those businesses but trying to foster and build community. So many of those entrepreneurs, the

business owners, are wedded to the area, rooted to the area and have great commitment to the area. I have a special word of praise for the traders' associations across the constituency — the Lisburn Road in particular — the Ormeau Road and other areas where traders have come together to try to make common cause and provide a common voice — one voice — with which to speak to those in government about their needs. In particular, our friends in NIIRTA have done that and asked for a fair, efficient and fit-for-purpose rates system.

I welcome the Minister's contribution, and that of her predecessor, in announcing a rate review. I hope to study the paper. Now that the Ministers are back, I do not have as much time to read documents. We had a little more free time before that. I have printed it off, and I want to study it. I know that there will be some bold proposals for the time ahead.

It is my view that we need to take inspiration from businesses such as those on the Lisburn Road that are committed to our communities: the Arcadia deli, which has been there for 80 years, and Michael Deane of Deane and Decano. They have shown great commitment through the great recession and through tough times in the city. They have shouldered the burden of rates unfairly placed on start-ups in particular and on new businesses.

It is time, in the rate review, to find ways to give additional support and encouragement to small businesses. It is not beyond us to find ways to encourage and induce businesses to go into empty premises on main arterial routes. When a main road is busy, bustling and thriving, it tells you that there is a vibrant community. I will not name them, but there are roads in the city where that is not the case and where empty premises after empty premises send a different message — they send out a message to investors that there is a chill factor in the area. We want to encourage a review of rates, if that, in turn, will increase the number of businesses.

I want to finish by mentioning the entrepreneurs. Claire Hanna also mentioned them. For me, they are the heart and soul of our business community. Today is a black day for Ballymena: a multinational company that served us well for 46 years announced that it is upping sticks and leaving, and that is a devastating blow. However, other companies were mentioned during that discussion today, such as Radox, which was built up by indigenous entrepreneurs. It is my conviction that, if we can help young people to start businesses — every business started small — and make it easier for them to access premises on thriving arterial routes, we will be sowing the seeds of a more robust business sector in the future. Hopefully, when we review rates, there will be a way in which we can encourage start-ups, which are not necessarily taking business away from their neighbours, to come in to empty premises and start the business growth that we are crying out for.

### 5.30 pm

**Mr McGimpsey:** I begin by thanking Ms Hanna for bringing forward this debate on business rates in south Belfast. I also acknowledge and welcome the comments of Mrs Pengelly.

First, as far as local businesses are concerned, we must remember that south Belfast includes a large portion of the city centre. When you talk to small businesses, particularly



retailers, they all tell you the same thing: they hate paying rates. They do not understand what they are getting for them. City Hall does not even empty their bins. They see it as taxation for which they gain no benefit. That might be unfair but it is the general viewpoint.

Look at the plight of small businesses, particularly in retail. The rate of dereliction in retail areas is about double the national rate. Look at the footfall on the streets where small businesses are found, which is much lower than the weighted average. That gives you an indication of the plight of small businesses. Remember that small businesses, by and large, are owned by local people; local families employing local people. Any profits that they make are retained in our economy. Any money that they spend is spent within our economy. Therefore, they provide real and genuine benefit for all in our society. They are, as has been said, seriously challenged not just by Internet shopping but by the growth of huge out-of-town shopping centres, which provide one thing that local businesses cannot, namely limitless free car parking. They are faced with an uncompetitive situation and are disadvantaged by huge shopping centres. Indeed, at City Hall, where I was for many years, we found out through an exercise — the Deputy Speaker may well remember it — that for every job created in a big shopping centre outside Belfast, we were losing two inside Belfast. There was a decision at that stage — this is going back 15 years — that those big shopping centres should be capped. Of course, they were not, and the challenge goes on.

What can we do about this? We were hit with the recession, which winds on in Northern Ireland — that combination of national and bank debt that sent the Western economies into a tailspin, and from which we suffer grievously. All of these are challenges. Look throughout south Belfast. Lisburn Road is just one street. My office is in Sandy Row; once a thriving retail area, now a shadow of its former self. That is repeated throughout south Belfast and, indeed, other parts of Belfast, whether east Belfast, north Belfast or west Belfast.

We need to look at the measures that we can take. For example, small business rate relief is due to end next year, I think in March 2016. That should be extended. It is a good scheme; it has provided some help to small retailers, and there is no reason why it cannot be extended. It was put in place for five years and extended for a year. Let us see it extended for another five years. Let us also look at expanding the bands to increase those reliefs. Poundage is another issue, which was raised by Claire Hanna. I see little prospect of City Hall managing to do anything about poundage, bearing in mind the very low rate increases this year. There does not seem to me to be a huge opportunity there.

Banding is one important area. Another important area is empty business rate relief. We charge empty premises rates. They get an exemption for a short period and then, after six months or a year, the owners, who maybe had to close their business because it was not profitable, are hit by rates, which is a tax. They get nothing for those rates, and their businesses just sit there, which is a huge disincentive. We could look at that area to see how we might support and help small retailers. If we do not do that, areas of dereliction will grow, and we will all face the challenge of what to do about empty premises. You only have to look at some of the streets in south Belfast, where

areas of dereliction have lain that way year after year. No one is picking them up and taking them up.

We clearly need a holistic approach, as the phrase goes. Planning offices play a key role, as they give planning permission for huge out-of-town retail developments with free car parking. The provision of that unfair competition is strangling retail in Belfast. One only has to look at the sort of economic driver that Belfast is in Northern Ireland to see how precious it is. It must be preserved.

**Ms Lo:** I welcome Mrs Pengelly to the House and congratulate her on her role as junior Minister and on being our fellow MLA in the South Belfast constituency. I also want to thank Claire Hanna for securing the debate today and setting out a comprehensive overview of the situation in south Belfast. It is a very timely discussion, given the Finance Minister's recent announcement of a consultation on a review of the non-domestic rating system.

As we all know, rates are essential. We depend on them to raise a certain amount of revenue for public services each year, but, through talking to business owners in south Belfast, as we all have done, we know that many of them are very unhappy with our current non-domestic rating system. Mr McGimpsey and I are probably the longest-serving MLAs in the constituency, and we have seen a number of shops closed over the years. Ona Jewellers on the Lisburn Road is closing this month; it has been there for 10 years. That follows the closure in the summer of a long-standing jewellers on Shaftsbury Square, which had been there for many years. Like other Members, I am very sympathetic to shopkeepers and small businesses that are struggling to keep their businesses afloat. They work extremely hard and, all too often, find the level of rates to be a big burden.

If we look at the situation across the water, we can understand why some resentment exists here. A constituent who owns a furniture shop in Belfast told me that, during a recent visit to England, she met two shop owners, one who, like her, dealt in furniture and one who dealt in antiques. Both advised her that they pay no rates whatsoever. At present, the UK Government have doubled the relief rate for small businesses to 100% on properties that have a rateable value of £6,000 or less. That has resulted in many small firms in England not having to pay business rates at all.

I was at the #CutTheBizCost event organised by NIIRTA on 17 September. Many there expressed concerns that rates are far too high, and that charity shops, of which there are many on the streets, get rate exemptions. Charities benefit from £87 million in rate relief. DFP has revealed that it is considering whether it would be fair for larger charities to make some contribution to their rates. As Mr McGimpsey mentioned, some shopkeepers have also said that they wonder what they get for their rates contribution.

There is a wider issue of people's perception of how the rates they contribute are used to fund public services. That also needs to be addressed in the review. There needs to be more transparency to make it clear to ratepayers how their money is being spent.

The rateable value of a business property is worked out using its net annual value (NAV). For independent retailers and small business owners, the business rate is a significant issue for their business. Former 'Dragons' Den'

investor Theo Paphitis, who opened a shop in Victoria Square, described Northern Ireland as a horrendous place to do business. He blamed high rates and rent. We need to be mindful that high business rates can have a negative impact on investment, career opportunities and innovation.

At the NIIRTA meeting, they launched a 15-point plan as a solution. Among the points made, they outlined the need to extend the small business rate relief scheme, which is currently set at £15,000 NAV to £18,000 NAV. They advocate reforming rates to give greater flexibility with economic circles and carrying out rate revaluations every three years. NIIRTA also suggests introducing a rural retail rate relief scheme and providing exemptions for small traders investing in expansion, allowing them to offset capital investment against their rates bill.

The Federation of Small Businesses in Northern Ireland believes that there needs to be a wholesale rethink, not only about who pays what and how much is paid but about non-domestic rates as a concept. I understand that, in simple terms, any changes that are made to reduce what some pay will result in others paying more. There is no reform that will please everyone.

**Mr Principal Deputy Speaker:** I ask the Member to bring her remarks to a close.

**Ms Lo:** However, we need to make sure that the rates system is as good as it can be.

**Mrs Foster (The Minister of Finance and Personnel):** I am pleased to be able to come and answer some of the points made this afternoon and set out the facts in relation to the recent revaluation that took place and how it has impacted generally in south Belfast, but particularly in some of the areas mentioned today.

As Members have said, only last week, I launched a 12-week consultation exercise on a zero-based business rates review to try to look at business rates in a new and innovative way. It actually came about as a result of an innovation lab that we held in the Department, working with a lot of stakeholders and across government to engage in new thinking about what we needed to do in the business rates system. I am now looking forward to hearing from the wider public and, indeed, from many stakeholders, to try to give me their wisdom in relation to the direction they want to see business rates going in Northern Ireland. The review also seeks views on alternative forms of taxation, either as complete replacements or as supplements to the existing rates system.

It is not that we raise more money from businesses. I want to put that on the record this evening. Indeed, the recent revaluation has been revenue-neutral. I know that a lot of people do not accept that, but it is the reality. It is revenue-neutral. I want to look at ways to keep rates as low and as acceptable as we can, bearing in mind what some colleagues have said about the fact that nobody wants to pay rates. I accept that and you accept that, but we have to find a way to have a fair system for south Belfast and across Northern Ireland, because every penny raised through the regional rate in Northern Ireland helps to fund Northern Ireland Departments, which, as we all know, are under extreme pressure in relation to the block grant and the fact that it looks as if, moving forward into the next spending review, we are going to have flat cash in what we are granted by the Treasury. Therefore, we need to make sure that the revenue raising that we do in Northern Ireland

is effective. The review is something that the business community and other ratepayers have been asking for for some time, and I hope that it will be a good engagement with all stakeholders.

#### 5.45 pm

The recent rates revaluation has, if you look at the facts, been relatively good for small businesses in south Belfast. I will come back to that at the end of my comments, but the figures show that that is the case. Now that the revaluation is out of the way, we can look at reforming the system. Today has been a good scene-setter, but I need opinions, I need evidence — not anecdotal but factual — and I need realistic ideas from organisations and individuals on changing the system for the better so that we can present options to the Executive and the Assembly.

I recognise that I probably do not have enough time in this mandate to do anything too radical, but I am determined to get the process up and running so that, when the next mandate comes in, the information is there and that the next Assembly and the next Finance Minister, whoever that may be, will be able to take the issue forward. It is important that the process be completed early in the next Assembly term, as there are no easy answers or choices. As Ms Lo said in her closing remarks, giving particular groups of ratepayers a tax break has, as a natural consequence, a direct impact on somebody else. Either someone else ends up paying more or we cut back even further on public services.

The situation for south Belfast ratepayers is certainly not all bad. The revaluation resulted in shops in south Belfast doing well, with a 20% reduction common on many parts of the Lisburn Road and Stranmillis Road. On the other hand, some shops on the Ormeau Road have seen increases of up to 25%, while the figures for retail warehouses in the Boucher area are up by more than 50% in some cases. That reflects changes in shopping patterns. Mr McGimpsey mentioned out-of-town shopping and its impact on areas like the Lisburn Road, but he should understand that, since the revaluation, the rates that those shopping centres pay have been on an upward trajectory. The revaluation means that they are paying a lot more than they were a couple of years ago.

The reason why some of the changes are so big is that our last revaluation was in 2003. The revaluation has been generally welcomed, even by NIIRTA, and it has been accepted that we definitely needed to have it, although I bear in mind that NIIRTA is a representative organisation and therefore reflects the pain that some of its members are feeling. I totally understand that, but some of its figures are a little out of kilter with what is actually the case.

That means that locations and sectors of the retail market that have fared well pay correspondingly more in rates and that those that have fared less well pay less. That is exactly what a rates revaluation is supposed to do. It is also worth noting that only 35 ratepayers in south Belfast have challenged their new assessment, which I am a wee bit surprised at. I am not sure where Ms Hanna was coming from when she talks about the opaque nature of the LPS. If she has a particular issue that she wants to raise with me in relation to that after today, I am happy to speak to her about it.

**Ms Hanna:** Will the Minister give way?

**Mrs Foster:** Yes, I am happy to take an intervention.

**Ms Hanna:** I have dealt with a number of cases, including one that nearly closed a small business due to a £20,000 overvaluation. I went through the LPS appeal system and your predecessor, and, in the end, it was the ombudsman who reversed the decision and stopped that small business closing. It is not an open-book system: people do not feel that they can accurately calculate what their rates bill will be. From the perspective of a city councillor, from year to year we were unclear of what we were and were not going to get in from LPS and we were presented with substantial overspends and underspends from what we were anticipating from LPS.

Perhaps if you are an accountant or someone trained in those issues, you will not, but most small businesses find its processes opaque.

**Mrs Foster:** I do not accept that they are opaque, because they are evidence-based. The revaluation was evidence-based, and LPS did not just pick a figure and decide that that figure applied to an area. If there is more that we can do to make the system transparent, I will certainly want to do that in the reforms that we are looking at. As far as I am concerned, the system is there if you want to challenge. It does not cost you anything to challenge — in other words, to appeal — and, as I said, I am somewhat surprised that only 35 ratepayers have taken up that option to date.

I want to touch on rates support for a little while. It is worth mentioning that we have the small business rate relief scheme, and that has been spoken about. That has had a big impact in areas such as south Belfast. Some £4 million was allocated in small business rate relief in Belfast as a whole this year. Some £1.3 million of that funding will go to 1,600 businesses in the South Belfast electoral area, which is in addition to around £850,000 that is being paid out to the 66 manufacturing firms in south Belfast. As you know, we have industrial derating here that is specific to Northern Ireland. In that respect, Mr Ó Muilleoir mentioned Ballymena, and I join him in marking just what a sad day this is for Ballymena. During my time as Enterprise, Trade and Investment Minister, I made many visits to Ballymena and to JTI and Michelin, and the work that went on there was tremendous. We have to recognise the causes of what is happening up in Ballymena, and, no doubt, there will be a lot of looking over that over the next few days and at whether it was the result of overproduction, product coming in from the Far East or, indeed, energy costs. Michelin has been the beneficiary of £700,000 of rate relief through industrial derating. That is something that the Assembly should be very proud of. It is unique to Northern Ireland, and it plays its part in south Belfast.

To go back to talking about south Belfast, for the past two years, Belfast City Council has implemented successive freezes in the district rate. Of course, that is entirely a matter for it, but a rates freeze such as that has an impact, and, given that 33,000 new properties came into the Belfast City Council area as a result of RPA, you could ask whether it could have done more, such as having a rates reduction. The Executive have also set real-term freezes on the regional rate for the past two years, and both poundages were lowered to take account of the effects of non-domestic revaluation.

The Department has looked at ways in which to help. Much has been made of the issue of empty shops, and

we are doing all that we can on that. We have the empty shops rate concession, which gives a 50% rates discount to new ventures that set up in long-term empty shops. As you know, empty shops pay only 50% of their rates here, whereas they pay 100% in England and Wales. I want to allow empty shops to avoid full rates if window displays are used by adjoining businesses to display their goods, and I hope to take that to the Finance and Personnel Committee in the very near future.

I want to close by referring to some comments that were made by Paul McConaghie of the Lisburn Road Business Association in the 'Belfast Telegraph' this year. The article pointed out that we had a "helpful correction", as he called it, of revaluation. He commented that, alongside the revaluation, the road has seen an upturn in trading over the past year, that there are fewer empty units and that there is a bit more buoyancy among some traders in the area, who have witnessed an increase in footfall.

The outlook is better than it was, and I have had the opportunity to visit the Lisburn Road on a number of occasions with Mr Jimmy Spratt and to talk to the traders there. In that regard, I concur with Mrs Pengelly, who referred to Mr Spratt. We will miss him in the House. I will certainly miss him as a colleague. He brought a lot to the House, particularly concerning the Lisburn Road. I met him and the traders there on a number of occasions when they had issues, so I concur with all that Mrs Pengelly had to say, and I very much welcome her to the House as a representative for South Belfast.

The outlook is better than it was. I am not saying that we should be complacent about recovery anywhere in Northern Ireland. Clearly, it is fragile; it is vulnerable. Nor should we be complacent about the rating system. As politicians, we need to watch what is happening in the real world when we set our local taxes and decide on our policies, so that we do not kill the golden goose and hurt our businesses. It is a delicate balancing act that we are all involved in. The contributions from the Floor have been useful in starting, I think, the wider debate that we need to have during this review.

*Adjourned at 5.55 pm.*

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# Northern Ireland Assembly

Monday 9 November 2015

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

*Members observed two minutes' silence.*

## Assembly Business

### Public Petition: Autism Services

**Mr Speaker:** Mr Fearghal McKinney has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes in which to speak.

**Mr McKinney:** It gives me great pleasure to bring today's petition on autism services to the Assembly. Autism services for children have been a major area of concern for me, my party and the constituents I represent. Indeed, the prevalence of autism, including Asperger's syndrome, in school-age children in Northern Ireland in 2015, tells us that the rate of autism has increased by 67%, with one in 54 pupils attending school being diagnosed with autistic spectrum disorder (ASD). The prevalence of autism increased by nearly 1% between 2009-2010 to 2014-15 — from 1.3% to 2.2%. In 2009-2010, there were nearly 3,700 children with ASD out of a school-age population of 270,000. In 2014-15, that figure rose to just over 6,000 out of a school population that had not increased very much. It is, therefore, very clear that autism prevalence is increasing in society, but, unfortunately, it is not being accompanied by the necessary funding increase to bolster services to be better able to deal with waiting times for diagnosis. There is no doubt that, without earlier and speedier diagnosis, children with ASD and special educational needs will not get the support they require in school or through the health service.

The current target for assessment is 13 weeks. At the end of April, nearly 1,500 children were waiting for assessment; more than 900 had been waiting longer than the recommended time. Of those, 476 had been waiting for more than 26 weeks, and more than 78 children had been waiting for over a year. Those are children who will have been found to have ASD and who will not have got the support that they required, inside and outside school.

The delays in the statementing process are wreaking havoc among families.

Many of these families are being forced to send their children to mainstream schools that do not have specialised staff or facilities to cater for their educational and developmental needs. That is why, when this petition was launched, so many people signed it.

In that context, I would like to praise all those from the Belvoir Autism Group who are present here today in the public gallery for the amazing work that they do in helping parents and children to get the best possible support and care that they need. If I could single out one individual, it

would be Alison Breaden, who runs the group along with her colleagues. She is one of our community champions and deserves recognition for all the hard work that she and others do daily. Her compassion, desire and commitment to help families who are struggling to cope deserve the highest level of recognition. Her work in compiling today's petition is testimony to that.

The petition calls on the Northern Ireland Assembly to start delivering for some of the most vulnerable children. I hope that the Minister takes heed of the petition and that it goes some way to alleviating the struggles of families not only in South Belfast but all across Northern Ireland.

*Mr McKinney moved forward and laid the petition on the Table.*

**Mr Speaker:** Thank you very much. I will forward the petition to the Minister of Health, Social Services and Public Safety and send a copy to the Committee.

## Committee Membership

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

*Resolved:*

*That Mr Gary Middleton replace Mrs Emma Pengelly as a member of the Committee for Finance and Personnel; that Mr Gary Middleton replace Mr George Robinson as a member of the Committee for Health, Social Services and Public Safety; and that Mr George Robinson replace Mr Gary Middleton as a member of the Committee for the Environment. — [Mr Weir.]*

## Ministerial Statement

### Maghaberry Prison: CJINI Inspection Report

**Mr Ford (The Minister of Justice):** With your permission, Mr Speaker, I wish to make a statement to update the House on Maghaberry prison.

Last Thursday, Criminal Justice Inspection Northern Ireland (CJINI) published its report following an unannounced inspection at Maghaberry prison in May. I would like to thank the Chief Inspector, Brendan McGuigan, Her Majesty's Chief Inspector of Prisons, Nick Hardwick, and their teams for their work and the comprehensive report that they have published.

The inspection that was carried out in May provided a deeply worrying analysis of how the prison was performing at that time. The inspectors found significant concerns around staffing, resourcing, outcomes for prisoners and the provision of healthcare. The standard four areas that are considered and assessed in the healthy prison test are safety, respect, purposeful activity and resettlement. Against the first three of these, inspectors scored Maghaberry 1 out of a possible 4, described as delivering "poor outcomes for prisoners". Against the fourth, the inspectors scored Maghaberry 3, described as delivering "reasonably good outcomes for prisoners".

I want to set out for Members the context in which the inspection took place, the key conclusions and recommendations that were made by the inspectors and the steps that have been taken and are being taken to ensure that, when the inspectors return in the new year, they will see significant improvement.

Early in my tenure as Justice Minister, I made clear my determination to reform our prison system to ensure that it plays its part in making our society safer. For too long, its focus had been solely on keeping people locked up. It was time to broaden that focus, to ensure that society is kept safe by detaining those whom the courts send to prison and by doing all that we can to ensure that, on release, prisoners play a positive role in their families and communities.

I am proud that, in the years since, we have made great strides towards that objective. Based on the advice of Criminal Justice Inspection and the Regulation and Quality Improvement Authority (RQIA), 33 of the strategic recommendations for change that were set out in the fundamental review of the prison system led by Dame Anne Owers have been implemented or signed off. These were reforms that many believed were not achievable.

Last week's report confirms what we knew when we set out on the path of reform: that it would not be easy or straightforward; that not everyone, nor every part of the service, would move forward at the same pace; and that, as well as successes, there would be real setbacks and disappointments along the way. What Criminal Justice Inspection and Her Majesty's Chief Inspector of Prisons found when they visited Maghaberry in May is the biggest of those setbacks that we have encountered. CJINI's previous inspection of Maghaberry in March 2012 found signs of improvement in several aspects of the running of the prison, including the introduction of free-flow movement; an improvement in the quality of teaching, training and learning; and the provision of offending



behaviour programmes. Encouraged by that report, but not complacent, the local leadership in Maghaberry continued to pursue improvements. The leadership team should be commended for the progress made during that period, in line with progress that was also beginning to be made at Magilligan and Hydebank Wood.

In 2014, however, due to planned departures from the Prison Service, a new leadership team was appointed in Maghaberry. A key aspect of the reform programme has been to develop new leadership from within the Prison Service. That has involved giving senior staff in the service opportunities to demonstrate their ability to deliver change in line with the service's new focus. In many cases, senior staff have risen to that challenge and have shown real ability. Unfortunately, in the case of the team appointed at Maghaberry in June 2014 that was not the case. Increasingly concerned about the weakness of that leadership, in the spring of this year, Prison Service management took steps to challenge their performance.

Last week's report references the difficult relationship that evolved between the local leadership at Maghaberry and Prison Service headquarters at that time. Frequently, when independent inspection reports identify failings, public bodies encounter criticism for inaction. In this case, immediately upon receiving the initial feedback from the unannounced inspection of Maghaberry, Prison Service management, with support from me and the DOJ permanent secretary, took steps to remove the governor and deputy governor from their posts and to replace them with a new senior team.

While I do not believe that it is appropriate to go further into what are ongoing personnel management matters, I will say that neither of the two personnel removed from their positions in Maghaberry was redeployed in the Prison Service. These actions are a reflection of the seriousness with which the Prison Service and I took the findings of the inspection and of the determination of the director general and her team to keep our reform programme on track.

The Prison Service has accepted all nine recommendations made by the inspectors and has put in place an action plan to achieve them. I am encouraged that the chief inspector of Criminal Justice Inspection has indicated that he believes that the action plan, if delivered, has the potential to address his concerns.

Of all the recommendations, I believe that the most fundamental is that urgent and decisive action be taken to strengthen Maghaberry's leadership. The appointment of Phil Wragg as the new governor has been key to this. Phil is an experienced governor, with over 25 years' service in some of the most challenging prisons in England, including Belmarsh. The challenges facing Maghaberry are serious and the level of improvement that we want to see will take time to deliver, but I have seen first-hand how the new governor's decisive and dynamic leadership has already brought significant improvements in the areas of greatest concern to the inspectors.

One of the key challenges highlighted in the report was staffing at the prison. As Members know, our Prison Service has undergone significant changes in its workforce in recent years, with a large-scale early retirement scheme in addition to the changes that happen in any large group of employees over time. While reform programmes of this scale are usually supported by additional funding, the

budget available to run our prisons has been significantly reduced. These factors, combined with the need to retrain existing staff for the new roles that we now expect them to play, have all combined to put staff under additional stress. While it is important to acknowledge that over three quarters of staff at Maghaberry did not take time off for sickness, the inspectors found an unsustainable level of staff absence that was having a detrimental effect across all areas of the prison. This is being addressed as a priority by the governor and his team. Since the arrival of the new governor, the level of daily sickness absence has dropped by over a third and continues to fall month by month. That is testament to his leadership and indicative of how things that could have been addressed by the previous team were not given appropriate attention.

While this is still work in progress, it is a critical part of getting the performance of the prison back to where it needs to be. Other steps to strengthen and support the staff at Maghaberry have included permanent and temporary transfers of staff from other prisons. An external recruitment programme recently commenced to target key replacements for custody officers, night custody officers and prison custody officers. That is an important step to ensure that the workforce can be reinforced and refreshed.

The report also identified low morale among staff, and the refreshed senior team is now more visible and accessible.

This is helping to build resilience and morale among the staff. Work is also being taken forward to improve the overall condition of the prison environment through cleaning and painting programmes in accommodation and communal areas. A cafe and restroom has recently been opened for staff and visitors, which not only provides staff with time and space to rest during their breaks but enables prisoners to work and achieve qualifications in preparation for release and potential future employment.

#### 12.15 pm

Regarding outcomes for prisoners, I am encouraged that the report reaffirms the four overarching strategic themes identified by the Prison Service as those on which it will focus as it continues along the path of reform. These are leadership, about which I have spoken already; purposeful activity; partnership with healthcare; and a fit-for-purpose prison estate. In relation to purposeful activity, the inspectors found that the regime was curtailed and that prisoners were often locked for long periods of time. Actions being taken by the new senior team are focused on delivering a safe, decent and secure environment for everyone at the prison. Key to that is having a regime that meets prisoners' needs and matches the resources available to the prison. With the full complement of staff available, the prison will be able to operate with a full regime and a core day. That is what the management team is working towards. Purposeful activity is key to ensuring prisons can be a place of positive, constructive change for people in custody.

The inspectors recommended that the prison should complete a robust needs analysis to ensure that the resettlement services provided meet the needs of the prison population. I can confirm that, under plans that were already being developed, within days of their arrival at Maghaberry, prisoners are now assessed on their risks, needs and strengths, and a personal development plan is devised for the duration of their sentence.

The inspectors recommended that the leadership and management of learning and skills should be strengthened. The partnership that was announced after the inspection between the Prison Service and Belfast Met and North West Regional College was a significant step for all three prisons. The outsourcing of learning and skills means that a wider curriculum will be offered, including areas such as essential skills in literacy, numeracy and ICT as well as vocational courses.

Turning to healthcare, the report recorded a range of concerns. The provision of healthcare in prisons is a complex issue. While this is the responsibility of the South Eastern Trust, the Northern Ireland Prison Service (NIPS) is committed to continuing to work with the trust and DHSSPS to develop the joint justice and healthcare strategy, which is key to delivering an effective service at Maghaberry and the other prisons. In specific relation to Maghaberry, NIPS and the trust will produce and implement the action plan recommended by the inspectors within the month specified by them, and I intend to meet the Minister of Health to discuss its implementation when they do so.

The final overarching theme on which the report makes recommendation is the development of the prison estate. Following years of underinvestment, NIPS continues to progress plans for all three prisons, including the redevelopment of Magilligan and the construction of a new custodial facility for women. In particular, the changes and investment at Maghaberry will allow NIPS to build a focused regime that will be resourced in a more effective and efficient way. The first phase of this is the new 360-cell accommodation that is expected to be completed during 2018-19. This will give the prison greater flexibility across the regime. Plans are also in place to build a high-security facility and a new visits area at the prison. This will enable the redevelopment of the site into three mini prisons, with dedicated units for short-sentenced and remand prisoners; long and life-sentenced prisoners; and category-A and separated prisoners. The plans are clearly dependent upon finance. However, it is critical that this is delivered to ensure an effective, modern and fit-for-purpose estate.

The inspectors also found that Catholic prisoners experienced poorer outcomes and acknowledged that the reasons for this were likely to be complex. They recommended that the prison needed to understand the underlying reasons for this. Senior management at Maghaberry has now written to the Equality Commission seeking advice and guidance on how this can be achieved.

I know that, in some of the commentary around last week's report, I was accused of trying to spin or downplay the seriousness of its findings. I have no intention to do any such thing, and I hope that this statement will give Members a sense of the seriousness with which it is being treated by me, by NIPS senior management and by the new leadership team at Maghaberry. What I will do, however, in closing, is say that I believe it would be wrong to ignore or lose sight of the scale of what has been achieved and what continues to be delivered, not just at Maghaberry but across the entire prison system through the wider reform programme.

It would also be wrong to conclude that the problems identified at Maghaberry earlier this year are because of, rather than in contrast to, the progress being made against

the recommendations made by Dame Anne Owers and her team. That progress has been about embedding long-term change in the prison system. I am confident that the Prison Service, under the leadership of its director general, Sue McAllister, will continue to progress along the difficult path of reform. Indeed, I am convinced that had we not embarked on that journey, and had we not benefited from the leadership that Sue McAllister and her senior team have shown, we would have seen a greater number of reports like last week's.

NIPS has taken swift and decisive action to ensure that Maghaberry has the right leadership and resources in place to deliver an effective regime. That work is well under way, but it will take time to deliver. I welcome the announcement by the inspectors that they will return to the prison in January, and I am confident that when they do, they will see real progress and a prison well on the road to recovery.

**Mr Speaker:** Thank you. Before I call the first questioner, I inform the House that a large number of Members have put their name down to ask a question, and I am sure that Members agree with me that as many as possible should be facilitated. For that reason, I ask Members to ensure that their question is brief and relates to the ministerial statement. While I will, as is the custom, give some latitude to the Committee Chairperson, that does not extend to an alternative statement or multiple questions that are beyond the scope of this occasion.

**Mr Ross (The Chairperson of the Committee for Justice):** Thank you, Mr Speaker, for your confirmation of the latitude given to the Chair. I will do my utmost to make the most of that latitude.

The CJINI report is a damning verdict on the state of Maghaberry Prison, highlighting failures of leadership and a regime in which prisoners are not engaging in purposeful activity. Most worrying of all, it cites a failure to keep prison officers and prisoners safe within the prison walls. It is alarming on an unprecedented scale when we hear inspectors describing the prison as being in "crisis", as "unsafe" and "unstable", and as the "most dangerous prison" in Europe. Despite the Minister's best efforts, there is no gloss or positive spin that can be put on this report.

Let me specifically deal with a few issues raised in the report. First of all, over the last few years, colleagues and I have repeatedly raised our concerns about prison officers' safety in Maghaberry. As well as describing the prison as "unsafe" and "unstable", the report details sustained, serious and credible threats against staff, a significant rise in assaults on staff since the last report and describes circumstances in which staff did not receive sufficient support to carry out their duties. Did the Minister take the concerns of the House seriously enough? What did he do when those concerns were raised? Why has there not been an improvement over the last number of years?

Secondly, on the issue of drugs, the Minister said, on 28 June 2012, that he was assured by the Prison Service that robust measures were in place to tackle the problem of illegal substances. He again said that on 26 September 2014, when he issued a statement titled 'Ford highlights progress on drugs at Maghaberry'. Given that the report talks about the prevalence of illegal drugs — it states that they are more widely available than had been the case at the last report and, indeed, that prisoners have said that it

is easy to get hold of illegal drugs — will he acknowledge that his previous statements were wrong?

In relation to segregated prisoners, the report advocates radical thinking because that part of the prison is sucking resources away from other elements. Will the Minister inform the House what his radical thinking is on that?

Finally, the report talks about significant failures in leadership, ineffective relationships between senior management and staff and a worsening in conditions since they last reported on Maghaberry in 2012. The report makes it abundantly clear that, during the three years that the current director general has been in post, Maghaberry has got significantly worse, rather than better. Given that that is the case, how can the Minister assure the public that they can have confidence in the leadership at the top of the Prison Service and, indeed, at the top of the Department of Justice?

**Mr Ford:** I will endeavour to refer to those points. In the Chair's enthusiasm to ensure that he gets in as many questions as possible, he does tend to speak slightly fast, so I apologise if I do not cover all the points that he made.

He started off by highlighting the suggestion that Maghaberry is the — I think that he said this — “most dangerous prison in Europe”. I am indebted to Newton Emerson for reminding me in his column in ‘The Irish News’ on Saturday of an article that I saw in the national media two or three months ago, pointing out a significant increase in deaths in custody in England and Wales, which were already at a higher level than in Northern Ireland. Whilst we should be cautious about applying too much of the statistics of small numbers, to suggest that that implies that Maghaberry is the most dangerous prison in Europe is perhaps a bit of hyperbole and hype in some of the reporting, rather than the content of the report itself.

Clearly, there are issues that relate to the safety of prison officers which cause us all concern. Again, unlike the situation in other parts of these islands, that threat to the safety of prison officers also comes outside the prisons, regardless of anything that may happen inside the prisons. That is a point that I was only too well reminded of on Friday when I attended the annual memorial service for the Prison Service, which remembered 31 colleagues who have lost their lives in the recent past. We need to acknowledge that the issue of safety is significantly different here from other regions and is an issue outside. In terms of the things like number of assaults, I noticed in the statistics that I was given most recently that those are down in recent months, and the number of occasions on which force has to be used is down in recent months, so there are clearly positive changes happening there.

Mr Ross also referred to the concern about drugs, and there is no doubt that there is a problem with illicit drugs in this society, and, as he did not highlight, there is also a problem of prescribed drugs being misused in prisons. Again, that is something on which there has been action taken. In recent months, we have seen a significant decrease in the numbers of those who either have positive drug tests or refuse to take drug tests. Whilst it is clearly an issue that needs to be addressed, the clear implication is that the current leadership team in Maghaberry is addressing that.

The Member also refers to the effect of having two groups of segregated prisoners on the regime for the

great majority of prisoners in Maghaberry, and I share that concern. It is not my decision that segregation exists, and it is not my decision that individuals are admitted to segregation. Those were decisions that were taken respectively by the Northern Ireland Office in the past and on behalf of the Secretary of State at the present time. Members may recall that, in the report by Dame Anne Owers and her colleagues, there was a recommendation, which I referred to in my statement, for three mini prisons in which there would be one high-security area that would include separated prisoners. That would give a way of ensuring that the maintenance of the necessity of a higher standard there did not impact on the regime for others, but, as was made perfectly clear, that is dependent on capital funding, which we have not yet seen.

The final comment that the Committee Chair made about the failure of the leadership of the director general was an unfair comment that I reject entirely. What we saw was a snapshot that showed how things were earlier this year, and a report that commented on failings of local leadership in Maghaberry and the breakdown of relationships at a point when they were being challenged from prison headquarters. It is not an issue of three years of decline since the previous report. We have highlighted the fact that progress was being made previously in Maghaberry. It was a snapshot showing a very difficult situation earlier this year, which is being addressed robustly by the director general and her senior team with full support from the Department.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. I want to come back to the last point that you mentioned, Minister, which was the failure of leadership. Do you have a clear definition from the Criminal Justice Inspection of what it means by failure of leadership and ineffective relations in Maghaberry and the Maghaberry administration? In my opinion, over a long time, there has been a resistance to prison reform within the prison.

**Mr Ford:** I thank Mr Lynch for his question about that. I am not sure that it is for me to define what was referred to in the report as failure of leadership, but there are a number of instances cited in it: issues like the failure to have robust management of sickness absence, which is a clear issue. That is one of the points that was made most clearly as impacting on the entire way that the prison runs because of the lack of staff, therefore creating an unpredictability of things like lockdowns and general regime. I notice, for example, that, in May, just after the report was done, the average number of staff sick every day in Maghaberry was 101.

Today, 48 staff are absent. That, to me, is a demonstration of leadership at the present time. I think that you can take it that a failure of leadership is what was happening at the previous stage, and that was a key challenge that is being addressed by Phil Wragg and his senior team, from which we are already seeing very positive benefits for staff and prisoners.

#### 12.30 pm

**Mr A Maginness:** I thank the Minister for his statement. I fully support the reform programme that he has quite properly directed, but the report is also a serious disappointment to me, because it is damning, as the Chair rightly said. I am sure that the Minister will agree. Central to that is the failure of industrial relations in the prison.

Does the Minister agree that the central issue of industrial relations in the prison is affecting all aspects of the reform programme? When will the industrial relations issue be settled?

**Mr Ford:** I thank Mr Maginness for his support for the reform programme. He is absolutely correct that the reform programme is vital to having things move forward, and it is extremely disappointing to see the quality of the report.

Clearly, there has been an industrial relations problem. It is not entirely unique to Maghaberry, as we can see if we look at prisons across different parts of these islands, and there is no doubt that confronting the changes that were required to be made has created difficulties for management and not contributed terribly well to industrial relations. I do think that we have seen some good progress made. I notice, for example, that, in some of his comments, the chair of the Prison Officers' Association referred more to issues such as capital funding to ensure that we have proper arrangements than to anything else. There is no doubt that many of the prison officers who continue to work in the Prison Service and who experienced very difficult times in the 1970s and 1980s will view the proposed changes with a certain amount of misapprehension. What is important is to see the good work that is now being done, under a leadership team that is making itself more visible on the landings and engaging better with staff on a day-to-day basis. That will helpfully change the situation, but there are wider issues that affect the higher-level industrial relations as well as relationships as they happen hour by hour in the prison, and, indeed, in each part of the prison. That is part of the challenge that the management team is taking on, and we will look to see how it succeeds over the next couple of months.

**Mr Swann:** Minister, in your statement, you refer to an external recruitment programme. Do you believe that the salaries and the terms and conditions for new, incoming prison officers are adequate to retain and recruit prison officers to the standard that is needed in the current prison system?

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

**Mr Ford:** Mr Swann makes a reasonable point. Changes have recently been made to the terms and conditions of newly appointed officers, and my understanding, at this stage, is that, with the current scheme looking to appoint up to 100 prison officers, we have already received in excess of 1,000 applications, with time still to run. That suggests that the terms and conditions that are being offered, and the modest improvement to them recently, makes them acceptable to those who would consider a career in the Prison Service.

**Mr Dickson:** Thank you, Minister, for your statement. Mr Somerville from the Ulster Unionist Party and I recently visited the prison. We were the only two members of the Justice Committee who took up the invitation, and we met Mr Wragg, the new governor at the prison. I beg your pardon: Mr Sammy Douglas was there too. My apologies. We met Mr Wragg and noted the extensive changes that he had made in the prison, which, in my view, were starting to gain respect from staff and prisoners alike.

You referenced the reduction in sickness absence levels, and the drive to continue to do that is important, but can

you point out other areas of significant change that will provide reassurance to the public?

**Mr Ford:** I am glad that I am not going to annoy Mr Douglas by suggesting that he was not there. By what I heard from the Prison Service side, I believe that the visit by the three members was very positive. It was unfortunate that only three members of the Committee were available that day.

That question has highlighted the positive change that has come about since Phil Wragg's appointment. He is clearly grasping the nettle of some of the difficult issues that need to be done, supported by a refreshed senior management team in the prison that is being seen as more active.

I am not sure that I can provide reassurance today, but I know that there is significant attention being directed at a range of issues. The Justice Committee has seen the action plan that has been prepared. It is on the Web, but I will see that a copy is placed in the Assembly Library as well. The key issue is looking at a range of issues and showing that robust action is being taken, whether it is how we deal with management of separation or the wider issue of developing a strategy with the South Eastern Trust looking at healthcare provision and self-harm. Those are key issues that affect the welfare of prisoners and, ultimately, the good of society.

There are actions under way and actions in place that, I believe, we will see the results of when the inspectors return in January. We will see a positive response from that.

**Mr Douglas:** The Minister mentioned the Dame Anne Owers report. However, Nick Hardwick, the Chief Inspector of Prisons in England and Wales, highlighted in the CJINI report that only 16 of the 93 recommendations in the 2012 report had been achieved in full. How can the Minister claim that progress has been made over the past three years when it is clear that things have got markedly worse?

**Mr Ford:** Mr Douglas highlights the difference between the wider strategic view following up on the report by the prison review team led by Dame Anne Owers and the immediate snapshot of the inspection of an individual institution. It is also the case that we have had reports in the past that have had a significantly large number of, in effect, fairly small recommendations, whereas the premise under which the PRT operated was of a strategic view with 40 strategic recommendations covering a range of areas. It was felt appropriate to concentrate on those, whilst not ignoring the individual recommendations. The Prison Service staff will be looking at the individual recommendations. The recommendations on this occasion are more of a high-level strategic objective than reporting on relatively small items and simply listing them. The key issue of dealing with things like sickness absence matters much more than some of the individual 93 recommendations did three years ago. The important thing is that we do not lose sight of those smaller points being what drives the overall reforms. The team now in place in Maghaberry will be taking account of both levels of recommendation.

**Ms McGahan:** Go raibh maith agat. Would the Minister accept that the failure to implement the recommendations of the Owers prisons review team specific to Maghaberry led to this damning report on Maghaberry, and that if this



failure continues, we will continue back to the same place at Maghaberry jail?

**Mr Ford:** I am not sure that it is reasonable to say, as Ms McGahan says, that there was a failure to implement the Owers recommendations in Maghaberry. The Owers recommendations are wide-ranging and far-reaching. What we saw in the inspection report was a failure in Maghaberry at that time — significant failings that led to a critical report.

That is in no sense undermining the concept of the Owers report and its wider, far-reaching recommendations, which, as I said, has seen a significant number of its recommendations signed off and others are work in progress.

We need to ensure that we do not understate the seriousness of the poor inspection report from May this year but nor do we need to suggest that that somehow invalidates the reform programme generally, because the reform programme generally is making progress and seeing positive responses in different areas, including, in some respects, in Maghaberry and very much in the other two prisons as well.

**Mr Frew:** The Minister will do well, given this damning report, not to gloss over or deflect away from the problems in Maghaberry prison. That is clearly what his statement is designed to do. Minister, you may want to talk about the future — and we would all like to see a better future for our prisons — but I want to talk about the here and now, when prison officers are working with low morale in an unsafe and unstable environment. Minister, how many action plans do we need before those actions become reality and our prison officers, and indeed the prisoners, are working and living in safer conditions?

**Mr Ford:** If Mr Frew is suggesting that today's statement is glossing over the problems at Maghaberry, I am not quite sure why I am standing here taking time to explain what has happened, acknowledge the issues in the report and point out the changes that have happened since then. That is anything but glossing over: it is recognising the extremely worrying contents of the report, as it related to last May, and explaining the action that is being taken. It is not about glossy action plans but about real work on the ground, on the landings and in other areas of the prison, to ensure that we move forward and have a better report in January.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas go dtí seo. I thank the Minister for both his statement and his answers to questions thus far. When any Minister comes to the Assembly and accepts that there is a failure of leadership, ineffective relationships between people in management and a resistance to change, that Minister knows that he has a problem. As we go forward, the Minister has to reassure the House on the question I ask him today: is he now certain that leadership will be allowed to prevail, that ineffective relationships will not be tolerated, and that the Anne Owers prison reforms will be implemented, and implemented in full?

**Mr Ford:** I thank the Deputy Chair for his question and, indeed, for his support for the reform programme and his positive comments on aspects of it over the last day or two. If he is right that this report highlighted a failure of leadership, which is what it cites, then I am confident that the leadership that is currently in Maghaberry is significantly stronger than the leadership that was there

in the month of May. I am confident that the leadership in prison headquarters is aware of the problems and, working with Maghaberry leadership, is taking robust action to deal with them. I am confident that the poor relationships that existed in May no longer exist and that the Department is backing the Prison Service management in carrying out its essential work. If we could get a bit of Executive joined-up leadership around a capital programme, we would be in an even better position.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Mo bhuíochas leis an Aire as a ráiteas go dtí seo. I thank the Minister for his comments up to now. I will focus on one part of the statement:

*"The inspectors also found that Catholic prisoners experienced poorer outcomes and acknowledged that the reasons for this were likely to be complex. They recommended that the prison needed to understand the underlying reasons for this. Senior management at Maghaberry has now written to the Equality Commission seeking advice and guidance on how this can be achieved."*

While I presume that the Equality Commission can advise on those aspects that refer or relate to them, has any other specialist advice been sought from other sectors, such as education, health or skills, on why this is the case?

**Mr Ford:** I appreciate Mr McGlone's question. It is indeed a significant issue, and one that has not just arisen recently. That is why the advice has been sought from the Equality Commission. As far as I am aware, no other advice has been sought from other agencies at this point. The important issue will be to take the advice of the Equality Commission and see how it applies across all the aspects of the Prison Service, including the work being done around learning and skills and health, to ensure that we get proper outcomes for all prisoners.

#### 12.45 pm

A monitoring group is looking at those issues in Maghaberry, alongside the request for assistance from the Equality Commission. The group meets on a monthly basis. We will need to see just how that works to ensure that things like adjudications do not have a detrimental effect on people from one particular background. At this stage, the answers are not clear and that has been acknowledged, by Brendan McGuigan in particular, as an issue which needs further action but on which there are no easy answers.

**Mr Poots:** I am delighted that the Minister can stay for more than two questions today. In terms of this particular report and statement; the Minister has been in position, in charge of prisons, for over six years now and he has appointed the leadership team. Do you not accept that the leadership team, which has been a revolving door of Englishmen coming over to run the prisons, has been totally detached from the prison itself and that it is wholly disingenuous of you to scapegoat two people who were in position for less than a year for this damning report on Maghaberry prison?

**Mr Ford:** I have been in position for over five years, not over six. I do not appoint civil servants; there are procedures by which they are appointed which do not involve Ministers. Sue McAllister may be many things, but she is certainly not an Englishman. The leadership team is not detached;



the leadership that I see being given by Phil Wragg and his senior colleagues is absolutely attached to what is going on in the prison. There is no issue of scapegoating. The issue is of reflecting the appropriate need to ensure that leadership is provided to deal with the problems of Maghaberry, which was not being provided. That is why we have seen the improvement that I have already highlighted in a number of areas, such as sickness absence.

**Mr Lunn:** The strength of inspections lies in the independence of the organisations that carry them out. The Minister's statement referred to the oversight group implementing the prison reform programme as having signed off 33 out of 40 recommendations as implemented. I ask the Minister: what confidence should we have in the independence of the oversight group?

**Mr Ford:** The answer to my colleague is that we can have considerable confidence in the oversight group, in particular in the presence of three independent members. Patricia Gordon and Monica McWilliams are not known for giving Ministers or their teams an easy ride if they do not believe it is deserved. Brendan McGuigan, head of CJINI is also a member of the oversight group.

I should perhaps explain the procedure of the oversight group. It meets quarterly and receives reports from the Prison Service, or from the South Eastern Trust, as appropriate, relating to the healthcare recommendations of the prison review team (PRT). It determines whether those reports are good enough to be passed on for validation by either CJINI or RQIA, and then their report comes to a future meeting to decide whether something can be signed off. At the most recent meeting of the oversight group that I had, I was certainly impressed by the fact that the two independent members, with no formal role otherwise, were robustly questioning both CJINI and RQIA, particularly RQIA, as to the quality of some of the reporting that was done to ensure that matters were properly in place before they were signed off. It is not a matter of a ministerial-led group signing off; it is a matter that is very much in the hands of the independent members who are there, giving a robust challenge function, recognising progress where it happens, but also clearly stating where they believe that adequate progress has not happened. Members can be assured that that oversight group has worked extremely well and is close to completing its task in a way which provides the guarantee which can be provided for us and for the people of Northern Ireland.

**Mr Givan:** It was said that Dickens could have written the inspection report, but I think it is clear that Dickens has taken the pen for the Minister's statement today. This statement is a denial of his failure, and the failure of the director general, to manage Maghaberry prison. He has done it in a textbook example of how to dump on local management, scapegoating them in order to protect him at the top and the director general.

The director general heralded the appointments of the governor and deputy governor, who have since, unprecedentedly, been transferred out of the Prison Service, and I question the legality of that. Yet the Minister says in his statement that he has absolute confidence in the director general as she takes forward the reform programme. How can this be, following the litany of failures in the Prison Service since her appointment and during his time as Justice Minister?

Finally, will the Minister comment on Roe House, which has been a demonstrable drain on resources at Maghaberry? He, as Minister, has continued to appease republican prisoners. Will he stop this appeasement of dissident republicans in Maghaberry?

**Mr Ford:** I am not sure which of those several questions I am expected to respond to. I made it quite clear in my response to Mr Poots, when he used terms such as "scapegoat", that I was not scapegoating. I will make one very specific point. If Mr Givan is suggesting that transferring senior civil servants from one post to another is somehow illegal, he may wish to take legal advice, which is something that he does not seem to have had.

Moreover, by using the phrase "litany of failures", he fails to recognise the good work that is being done across the Prison Service in response to the PRT report, as part of a huge transformation project. It is clear that he is much more concerned about flying his kite by raising concerns about Maghaberry than recognising the reality of what is happening generally.

**Mr Craig:** We are right to highlight our concerns about Maghaberry, Minister. The Chief Constable confirmed only last week that there are five live cases of intimidation of prison officers in the prison and that several cases of intimidation of private contractors have reached the PPS. It has been pointed out to you that there has been serious intimidation of the staff and those who work in the prison. As the Minister, what have you done to stop that intimidation, other than appease those carrying it out?

**Mr Ford:** The suggestion that anybody in the Prison Service or Department of Justice is appeasing such people is utter nonsense and unworthy of a response.

**Mr Dallat:** I thank the Minister for his statement. Of course, he will not have been entirely surprised by this damning report, as I wrote to him on several occasions, asking him to hear the account of an officer who could have written the report single-handedly. Will he now agree to hear at first hand the account of an individual who was bullied, beaten up and left a broken man because he wanted to do his job honestly and fairly and refused to be part of the regime that brought about in a big way this awful report?

**Mr Ford:** I appreciate the point that Mr Dallat has been making about the concerns of one individual. I need to be careful as to what exactly is the appropriate role of a Minister, as opposed to the formal structures, in HR management. Nonetheless, I take extremely seriously the suggestions that he has made and will ensure that they are followed up at an appropriate level.

**Mr Anderson:** It is very appropriate that the Minister is in the Chamber to answer questions on this damning inspection report. It might be beyond belief, were it not that the finding that Maghaberry is in a state of crisis comes as no surprise to me, or to other Members of this House, having talked to people on the ground, including former and serving prison officers and their families. It gives me no satisfaction, Minister, to stand before you today and say, "We told you so" over many months. Yet nothing has been done to rectify the situation. I have brought issues to this House relating to staff morale, staff sickness levels and the "small" fire at Maghaberry, as it was described, costing £400,000. All we received were palmed-off responses.

**Mr Principal Deputy Speaker:** I ask the Member to come to his question.

**Mr Anderson:** In light of all the recommendations in the report, it is fundamental that urgent and decisive action is taken to strengthen the leadership at Maghaberry. Minister, you are at the top. Action needs to be taken. What confidence can anyone have if we still get palmed-off responses every time we bring the issues to the Chamber?

**Mr Ford:** I do not bring palmed-off responses. I have already said that an action plan has been prepared. It has been publicised, and there are opportunities for the Justice Committee in particular to follow through on it. Some people want instant, easy answers to the extremely complex problems that have beset the Prison Service for many years, even when we are seeing significant reforms and have seen significant improvements, even in the past few months. It is not a realistic way of looking at things.

**Mr Allister:** Leaving aside the self-serving efforts made by the Minister to give the report as soft a landing as possible, it includes words such as “unsafe”, “unstable” and “dangerous”. It could not be any more damning. What does it take for a Minister in this House to take responsibility for systematic and catastrophic failure and resign?

**Mr Ford:** I note that Mr Allister has adopted his customary positive and constructive attitude to these things. The simple question is this: on what basis should a Minister resign when action is being taken to redress failings highlighted in a report by people running a particular service? That action is being taken at the appropriate level, with full support from the Minister.

**Lord Morrow:** Now that we know, from the report, that it is the most dangerous prison in the United Kingdom, will the Minister tell us what is happening in that prison right now, as we speak, as a result of what we have read in the report? Is it his intention to declare an emergency at Maghaberry?

**Mr Ford:** Actually, we do not know that it is the most dangerous prison in the United Kingdom. Unfortunately, Lord Morrow was not in the Chamber for the early part of my statement. It is quite clear that, although some of the media coverage has attracted hyperbole, there are prisons elsewhere in the United Kingdom that have suffered greater numbers of, for example, deaths in custody than Maghaberry has.

What we do know is that Maghaberry is the most complex prison in the United Kingdom. We know that, in Northern Ireland, difficult category A prisoners cannot be dispersed but are all concentrated in one prison. We know that other prisons in the United Kingdom do not have to manage two sets of separated prisoners.

We also know that action is being taken in Maghaberry prison by the senior leadership team to address the points made and to carry through the action plan that was published last week to ensure that Maghaberry becomes safer; has more purposeful activity; has proper staffing numbers providing a proper regime for prisoners; and has that kind of regularity available so that staff are less concerned. All of that is work that is currently under way and is being carried out by a leadership team that is out there, walking the landings, engaging with staff and providing the support that they need.

**Mr Principal Deputy Speaker:** That concludes questions on the Minister's statement.

## Executive Committee Business

### Rural Needs Bill: First Stage

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** I beg to introduce the Rural Needs Bill [NIA 67/11-16], which is a Bill to impose a duty on public authorities to consider rural needs; and for connected purposes.

*Bill passed First Stage and ordered to be printed.*

## Housing (Amendment) Bill: Second Stage

**Mr Storey (The Minister for Social Development):** I beg to move

*That the Second Stage of the Housing (Amendment) Bill [NIA 58/11-16] be agreed.*

In December 2013, my predecessor, Nelson McCausland, published proposals for new housing legislation to make new provision for dealing with antisocial behaviour.

### 1.00 pm

In recognition of the limited time available to pass the legislation within the current mandate, I have decided not to proceed with the proposals relating to short tenancies, eligibility for homelessness assistance and injunctions against antisocial behaviour. I took that decision so that a more concise Bill could be drafted and achieve Assembly passage within the remaining time available to the Assembly.

The Bill is a short but potentially very effective and enabling piece of legislation. The provisions in the Bill are necessary to support the strategies and initiatives for dealing with empty homes, antisocial behaviour and disrepair in the private housing sector.

The first clause in the Bill makes provision for information sharing relating to empty homes. I am determined to maximise all opportunities to meet housing need, reduce blight and tackle antisocial behaviour, and I see the rejuvenation of empty homes as an important means of achieving that. To enable the Housing Executive to identify owners of empty homes with a view to bringing those properties back into use, the Bill will provide for relevant information held by the Department of Finance and Personnel's Land and Property Services (LPS) for the purpose of rates collection to be shared with my Department and the Housing Executive. That proposal was included in my Department's housing strategy, which was subject to public consultation in 2012. At the request of a former Minister of Finance and Personnel, the Bill will also require my Department and the Housing Executive to provide Land and Property Services with relevant information, for example, where any properties listed as vacant appear to be occupied or have different owner details.

The second clause in the Bill makes provision for disclosure of information relating to antisocial behaviour. In December 2013, my predecessor published proposals for new housing legislation designed to tackle antisocial behaviour in the social rented sector. The Department received more than 30 responses. While I have decided not to proceed with the two specific proposals outlined in the consultation document, a number of organisations that responded to the consultation highlighted the importance of information sharing in tackling antisocial behaviour.

The Bill would therefore ensure that, where the Housing Executive or a registered housing association needs information in order to take action against an individual who has been involved in antisocial behaviour, any person who holds such information would be able to disclose it without breaching data protection legislation.

The Social Development Committee has highlighted the fact that the Bill does not make provision for information sharing with private landlords. While I recognise that

private landlords have a legitimate interest in any information that reflects on the good character of individuals who are seeking accommodation in the private rented sector, it appears that the human rights and data protection considerations would effectively preclude extending the disclosure provisions to private landlords within the Bill.

The third clause in the Bill makes provision for registration as statutory charge of certain loans. The Department and the Housing Executive are currently exploring the use of loan assistance for private-sector housing repairs and improvements. While the Housing Executive has power to register statutory charge in respect of most forms of grant assistance, there is no power to register charges in respect of grant by way of loans.

The absence of a power to register charges in respect of such loans means that the Housing Executive would either have to make unsecured lending or secure the lending by means of legal mortgage charge. The cost of the latter is substantially more than the costs associated with preparing and registering a statutory charge. The Bill would therefore make provision for the registration of a statutory charge in respect of grants by way of loan made under article 9(1)(a) of the Housing (Northern Ireland) Order 1981. That would provide a means of security against any such lending and would ensure that, in the event that the owner defaulted on the loan or sold or transferred the property, the Housing Executive would be made aware of the transaction and be able to take any necessary action to recover the debt.

In conclusion, I have outlined the three provisions of the Bill. I believe that there is a need for the proposals and am confident that they will be well received by the relevant stakeholders in the public and voluntary sectors. On that basis, I hope that all parties can give their full support to the Bill. I commend the Bill to the Assembly.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for bringing the Housing (Amendment) Bill to Second Stage.

The Committee took what I can only describe as a very pragmatic view of what it could do with the Bill to ensure that progress could be made during the period between introduction and Second Stage, given the delay in tabling Second Stage. During the period of uncertainty, therefore, the Committee was prudent and prioritised the Department's legislative programme in its work programme. With the assistance of the Department, which we were grateful for, and, in particular, our stakeholders, we embarked on a call for evidence, even though, as I indicated, the Bill had not been formally transferred to the Committee for consideration. Nevertheless, being prudent and pragmatic, we issued a call for evidence. That was to ensure that, when normal service resumed, there would be sufficient time for the Bill to proceed through the entire legislative process. I thank Committee members for agreeing to that approach. I also thank stakeholders for responding to our call for evidence, despite the uncertainty about whether we would have a Committee Stage.

As a result of that approach, we were able to conclude our stakeholder evidence sessions on 15 October. Since then, we have been briefed by the Department on stakeholder and Committee concerns, and the Committee will, of

course, continue with its discussions on the Bill at its meeting this Thursday. The Committee aims to conclude those discussions and report to the Assembly before the Christmas recess.

Given what I have said, I am sure that today's debate on the principles of the Bill, while required by procedure, may seem to Committee members as having been overtaken by their discussions. It is important, however, for Members to focus on the principles of the Bill today, therefore I do not intend to go into detail on the issues that were raised by stakeholders and Committee members, even if you were minded to allow that, a Phríomh-LeasCheann Comhairle.

For the record, the Committee received a pre-introductory briefing from the Department on 25 June 2015. Officials provided an overview of the Bill, and members were able to raise initial queries and provide comments on various aspects. The Committee noted that the Bill seeks to address three areas: the sharing of information on empty properties; the disclosure of information on antisocial behaviour; and the registration as a statutory charge of certain loans. I note that it is a significantly different Bill than that contained in the original proposals that were presented to the Committee in February and June 2014, and I highlight the fact that the Committee was advised that that was due to drafting complexities and associated time constraints.

The Committee noted the benefits of information sharing, particularly in the case of the sharing of information with DFP about empty properties. We are all only too aware of the housing crisis that we face, and the provision could assist DSD in bringing vacant dwellings back into use. Although that is not the essential purpose of the Bill, it would nevertheless be a very helpful by-product.

The Committee also noted the benefits of disclosing information on antisocial behaviour. That should help social landlords to deal better with antisocial behaviour. It is not simply envisaged as a means of excluding what might be described as problem tenants but could also help social landlords to provide support to tenants to help them to change their unacceptable behaviour or, indeed, to help them if they needed particular support.

The Committee noted that sharing of information relates only to social landlords. That caused concern among some members who saw it as an opportunity missed, perhaps, by the Department. Members expressed concern, for example, that tenants removed from social housing for reasons of antisocial behaviour could simply move to the private sector, and a new landlord would not have been made aware of their history of antisocial behaviour. However, members have since been briefed on the difficulties of including private landlords in the provision, including the demands that are placed on those landlords by the Data Protection Act. I will not go into detail on that matter, but the issue will be considered further by the Committee, and the House will be informed of its position in due course.

A second concern was raised in Committee about disclosing information on antisocial behaviour in that there is no compulsion on social landlords to disclose such information.

The Committee notes that the Bill provides only that any person "may" disclose information. This is another issue that we will continue to explore with the Department.

The third area of concern was the lack of any provision related to information sharing that would give legal indemnity to persons sharing the information in respect of defamation. However, recent communication from the Department addresses this issue in detail, and I believe that we will resolve it in the near future.

In conclusion, the Department has provided clarification on the concerns of the Committee and stakeholders. Some matters will require further consideration, but we hope to conclude our deliberations in the coming weeks. For today's purposes, the Committee supports the principles of the Bill and asks the House to support its passing Second Stage.

I once again thank Committee officials, stakeholders and the Department, all of whom worked hard to ensure that, whatever the recent difficulties faced by the Minister in dealing with the Bill in the normal procedural manner, the Committee took the pragmatic view, supported by its officials and the Department, of making sure that it could discharge its responsibility to consider the issues in the Bill as quickly as it could and to achieve a successful legislative outcome within a certain time frame.

**Mr Douglas:** I thank the Minister for bringing the Housing (Amendment) Bill to the Floor. Like the Member who spoke previously, I will talk generally about the principles of the Bill, starting with information sharing and empty homes.

Certainly, for me, there is an opportunity to help to address the increasing housing need across Northern Ireland by renovating and bringing empty homes back into use. Information sharing between the Department of Finance's Land and Property Services, which holds such information, and the Northern Ireland Housing Executive is key to identifying the location and ownership of these properties and allowing the Department to encourage owners to take the required action to enable such homes to be occupied.

An opportunity exists to cut through red tape. That could help to reduce the pressures on our housing lists and get homeless people off the streets. Just this morning, I heard a radio debate about homelessness and what we are doing as a community to address it. However, this could also lead to a reduction in the deterioration of properties and related crime, as well as an increase in revenue through rates.

Maybe the Minister will address the growing number of questions on the sharing of information about empty homes and antisocial behaviour. Individuals and organisations are often unwilling to provide information relating to antisocial behaviour to the Housing Executive or housing associations for fear of data protection issues. Clause 2 provides for disclosure of such information. Anything that will help social landlords to take action against individuals involved in antisocial behaviour must be welcomed. Antisocial behaviour is a blight on our communities, and all too often we see individuals in communities taking matters into their own hands. Better information sharing between the different statutory agencies will empower social landlords to tackle these issues more easily. One of the questions that I ask the Minister to address is this: does he believe that we are doing all that we can to address the problems of antisocial behaviour?

Finally, on the registration of statutory charges, the Minister referred to how the Department and Housing



Executive are exploring the use of loan assistance for private-sector housing repairs and improvements. Without the Bill, loans made would be unsecured. Whilst there are other ways to secure lending, such as through a legal mortgage or a charge, the proposal to enable the Housing Executive to register a statutory charge in respect of grants by way of a loan is the most cost-effective. I again thank the Minister for moving Second Stage and officials for their help and support.

1.15 pm

**Mrs D Kelly:** The SDLP supports the sharing of information and the Minister's attempt to tackle the empty houses situation. The growing list of people looking for social housing and the misuse of social housing by some should concern us all, so we are very supportive of that aspect of the Bill.

Clause 2 deals with antisocial behaviour, which is a problem that is raised daily across our constituency offices and is something that the public are very concerned about. On the definition of antisocial behaviour, there is a note about widening it to include not maintaining a property. I urge caution on that, because there could be a number of reasons: the person could be older, have a disability or mental ill health. We should be very clear about how and when that might be used.

Like Mr Douglas, I listened intently today to some of the public debate on homelessness, and it is a regret that the issue is not included in the Bill, as the Minister had initially intended. Perhaps the Minister will inform the House as to how and when he hopes to include the aspirations on homelessness that he had wanted in the Bill and how they might come forward from the policy proposers in his Department, if not in this mandate, in the next one. Short-term tenancies are also excluded from the Bill.

We are happy to endorse the Chair's comments and ask the Minister to address some of the issues that I highlighted in his closing remarks.

**Mr Beggs:** Like other Members, I support the Bill coming forward. As the Chairman said, we have discussed it in Committee and feel that there is some room for improvement. I am content that it should formally pass its Second Stage today.

The sharing of information can address problems from vacant properties that adversely affect neighbours. From my experience of constituents getting in touch with me, I am aware that vacant properties can cause great distress and concern to neighbours for a range of reasons. There may be antisocial activity around a property, or there could be vermin infestation, which, with no one living at the property and the owner perhaps being difficult to trace, may become difficult to address.

There is a bungalow in the Antiville area, which I managed to get some movement on in the past year or so. It sat empty for a number of years, with the gardens not being cut and overgrowth taking over the place. Young people had started to congregate, and the police and environmental health officers were being called out. All that is a cost to public services, which could be avoided with earlier information sharing and owners addressing the issues concerned. I support anything that assists in earlier information sharing.

There is another property in the Whitehead area that blighted the neighbourhood for decades. Initially, I was called out by a pensioner who was concerned that an overgrown tree was damaging the adjoining wall; it had not been cut back and, in the wind, was hitting against the wall. The coping stone had already been damaged. As well as that, it was a jungle, with some 68 feet of overgrowth. Eventually, after information sharing — the community provided me with information, which I provided to the statutory services — the owner was traced, and his responsibility was highlighted to him. The overgrowth was cut back, and the property was sold. They found a garden shed and a boat below the undergrowth — it was a jungle. There was also concern about vermin infestation, so there needs to be better sharing of information. The interesting aspect of that case was that DFP knew who the owner was — he was listed with Land and Property Services — but did not know where he was. He was a social tenant of the Housing Executive, but it did not share the information.

Thankfully, through the community coming to me, we were able to share the information. Why should that information not be shared for the benefit of the community or rates collection? I strongly support the concept of the Bill and the sharing of information for the benefit of the wider community.

I think of another private home in Monkstown. Strangely, it has been lying unrented for at least a year. The window of the front door was broken, and young people were congregating, so there was concern from a neighbour about the safety of young people. There was even concern from the neighbour about the safety of everyone in the row. Because there is no automatic, fast sharing of information, it took some time to go through processes and for an environmental officer to eventually contact the owner. Clearly, there needs to be better information sharing to speed up the process. I am aware, from my previous experience as a councillor, that protocols and information can be shared to a limited degree. That needs to be looked at to see how it can be widened for, again, the benefit of the wider community.

I also welcome the concept of sharing information more widely. Some have mentioned the aspect of social housing landlords and how they are defined differently from the Housing Executive. The earlier transfer of relevant information can assist organisations to nip difficulties in the bud before they get out of hand, so I see benefits in widening the sharing of information. Perhaps systems need to be developed to manage this, but I firmly believe — we have already picked this up in Committee — that, if there were earlier sharing of information with social housing landlords, there could be benefits to communities and even to some of the tenants who are having difficulties and support could be brought in earlier. They might not even get to the stage where they get evicted if that system were brought in earlier and assistance given at an earlier stage.

If we go along that line, however, we then face the issue of private sector landlords, who are becoming more and more important in many communities. With many former Housing Executive houses having been sold off, they are now in the private rental sector. Are we going to protect the Housing Executive and social housing associations from potentially disruptive tenants by sharing information? If we do that but do not have some mechanism for including private sector landlords, we risk pushing those involved in



antisocial activity, who might get evicted, into the private rental sector. That would leave private landlords, some of whom are small landlords, with less support available and having to manage some of the most difficult tenants around. We need to look at how, particularly in cases where there is known antisocial activity and there are clear convictions, that can be shared more widely, so that people become more responsible for their actions and ultimately look after their home, property and neighbourhood. We should not simply pass such situations on to the private rental sector, which has to attempt to manage them. One landlord told me about a training course that he was on. He was advised that one of the best means of dealing with a disruptive tenant was to pay him to go somewhere else, because it would cost a fortune in unpaid rents and legal cases — it is a long process, perhaps two years — to get him evicted. We need to see how we can better manage private landlord legislation, so that we get a balanced system that protects tenants but also landlords, whether social or private sector.

The other aspect of the Bill is the issue of grants by way of a statutory charge. I am open to supporting such an option. We can expect public capital grants to become fewer. We all face significant financial challenges, and this is an option that may enable necessary improvements to be brought about for the benefit of tenants. Perhaps some substandard housing stock could be brought back into use so that additional homes would be available for those who may, at this moment in time, be homeless. I am open to such a proposal, but we will have to monitor it carefully and see that it works in practice.

As a general comment, I welcome the Bill, although I wonder why it has taken so long, given that some of the issues have been around since 2009. I look forward to dealing formally with the Bill, after it passes Second Reading, at Committee Stage.

**Mr Dickson:** I will be as brief as possible. We are at the Second Stage of the Bill. I welcome the Bill back to the House today. We do not have a lot of time between now and the end of the mandate to proceed with a lot of legislation, all of which requires careful and appropriate scrutiny. This is a short Bill, but it is, nevertheless, important, and there are important details in it that we, as a Committee, need to examine carefully. I am glad that the time-wasting by Ministers and others appears to be over and we can get on with the work in hand.

I thank the Chair and members of the Committee for the work that has been done in the background to get the Committee work done, at least at an informal stage and now at a well-advanced stage. It is a track that we have been going down with other legislation.

As has been mentioned, the Bill covers three areas: empty homes, antisocial behaviour information sharing and statutory charges. The Alliance Party is content to support all those areas in general, but we will want to scrutinise some areas of detail in Committee to ensure that we get the best out of the Bill and to ensure that it delivers for everyone whom it is intended to cover.

I also want to comment on empty homes, in particular. Mr Beggs made reference to properties in our constituency of East Antrim. I am sure that such references could be replicated for areas across the Province, but there is an important point in that regard. While the identification and,

hopefully, re-incorporation of empty homes into the social or private sector is important, it is not a panacea for our housing needs problem, and I think that the Minister will readily recognise that. It is a small step to dealing with properties that are, perhaps, a nuisance in an area, and it provides a useful means of providing housing. It may be that those contacts will simply result in a piece of land or property being sold into the private sector, or it may allow social or other housing providers to open negotiations with the owners of land or derelict properties to see whether they can be brought back into business, all of which is good, but none of which will solve our housing crisis.

I move now to antisocial behaviour and information sharing. Notwithstanding the concerns that others have raised informally in Committee about data protection and the sharing of information, the principle is right and is taking us into the right area. We need to share appropriate information so that we have the most effective and efficient means of dealing with those who commit acts of antisocial behaviour, for which, perhaps, we need to look at a definition in the context of the Bill. It is not to penalise people; it is to identify where the problem is and to take appropriate remedial action. It may simply be that knowing that a future landlord could be warned about behaviour could be sufficient in dealing with a problem.

In general, I support what the Bill is trying to achieve with regard to the statutory charge. Overall, at this stage, I am content to support the Bill.

### 1.30 pm

**Mr McQuillan:** I rise to support the Bill in its current form and welcome its contents, which I feel will provide lasting benefits not only for statutory and non-statutory partners in the provision of housing but for the communities that are blighted by empty homes and antisocial behaviour directed by tenants.

Part 1 deals with empty homes. We have discussed at length in this House the impact of empty commercial premises on high streets over the course of many years, especially with the economic downturn. We are all too aware of the impact that empty premises have on any city or town, especially if they fall into disrepair. I therefore wholeheartedly welcome the Bill in this respect, as, unfortunately, the experience of empty houses in many housing estates is that they become a problem for all concerned. Houses become rundown, subject to vandalism and attract antisocial behaviour. While this aspect of the Bill is not the all-in-one cure for such problems associated with empty homes, it will most certainly help statutory bodies and agencies to work together more effectively to see that empty premises are secured at minimum expense to the taxpayer through the sharing of relevant landlords' details and utilised in order to address the needs of the community, be it through homing a family or individual who is in need of a new home.

Suitable accommodation is becoming harder to find, and with pressure on the Northern Ireland Housing Executive and associated housing associations to identify suitable accommodation for those in need, we can see housing waiting lists reduced and needs met. An occupied home is better than an empty home. I hope that this aspect will go some way to alleviate the problems of housing stress and empty homes.

Part 2 deals with antisocial behaviour. I believe that the part of the Bill that relates to information sharing between statutory and non-statutory partners, such as housing associations, goes a long way to tackle the problem of tenants who subject others to antisocial behaviour. Antisocial behaviour is wrong. I believe that permitting statutory bodies to share information regarding bad tenants will allow housing associations, which are becoming more prominent, to deal with those who have no respect for their neighbours or for anyone else for that matter. At present, statutory bodies are restricted in and how and with whom they can share information due to data protection. As housing associations become the main vehicle for providing quality affordable homes in Northern Ireland, they are, in effect, a statutory partner. It is therefore essential that we are afforded the information in order to allow them to take appropriate and proportionate action against tenants who are guilty of antisocial behaviour.

Those tenants who are guilty of antisocial behaviour are difficult to deal with and should, within the law, be brought to account for their actions, which cause others so much stress and annoyance. I would like to see the legislation extended or afforded in some way to private landlords and property management agencies; otherwise we risk seeing the problem of antisocial behaviour moving into the private sector, with such tenants subjecting communities to their antisocial and socially disruptive behaviour that threatens the cohesion of communities and disturbs private life.

While everyone needs somewhere to live, it must be made clear that such behaviour will not be tolerated. It is therefore up to statutory partners, including the PSNI and the justice system at large, to enforce the law in respect of antisocial behaviour, taking a zero-tolerance position to the issue.

Part 3 is on loans and properties. While technical, it is essential in allowing statutory bodies to secure outstanding loans in respect of repairs and improvements to private-sector housing stock. I therefore fully support this part of the Bill.

To conclude, I fully endorse the Bill in its entirety and commend it to the House. The first two parts are vital in tackling dereliction and the causes of antisocial behaviour in communities across Northern Ireland, which I fully endorse. Together, we must tackle these issues in order to protect responsible tenants and landlords.

**Mr F McCann:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I would like to start off by saying that, whilst the Bill is short, its content will have an impact right across the board. For too long, we have been talking in this House about the impact that empty homes have had on many communities across the North and the need for us to get our act together not only to identify them but to do something about them. The Bill, when it is passed, will help us along the road to doing that. For all of us, when we are out during elections in our constituencies and communities, one of the main issues raised with us at all times is the ever-growing difficulties with antisocial behaviour and how it is dealt with. I think that the question of information-sharing protocols being brought in will, for the first time, bring housing associations into the loop and allow them to act.

Many of us are aware of incidences in the past where somebody may have been guilty of severe antisocial

behaviour in one community in a constituency and, because of some block on information sharing, was moved to another part of the constituency, and that led to difficulties in that community.

One of the difficulties that we need to take on board when we are doing this is that, while we need to deal with antisocial behaviour, it is sometimes so wide that it takes in people who may suffer from mental illness or serious addiction problems. It is also crucial to look at having a wrap-around package that puts the onus on housing providers to give full support to the people they are moving. At present, that is virtually non-existent. These are all important issues when they are all put together, and, whilst this is a short Bill, it will have a dramatic impact and will allow housing providers to deal with things more competently.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the debate. As Members have said, the Bill is short and fairly straightforward legislation. It is much shorter than the other Bill that the Minister is trying to bring through the House. The Second Stage debate, as has been mentioned, is concerned with the principles of the Bill, and I, like others, will try my best to adhere to those broad principles.

The sharing of information, with particular emphasis on empty properties, and the potential for the rating agency and LPS to share information about empty properties with statutory agencies and social housing providers, is a logical step. It is something that we can all support to make better use of existing residential properties that could be taken out of the vacant or abandoned column and occupied by families or citizens in need. It would not only deliver major improvements for those who now reside in the property but would help to regenerate communities where empty premises are a blight and are often a centre for attracting antisocial behaviour. It is a straightforward proposal that we would all support.

During the informal work that the Committee has done to date, we discussed with the Department the potential for sharing other forms of information. I would be keen to hear what the Minister has to say about that, because when we raised it with the Department, we were told that work was ongoing and that efforts were being made to deal with the issue of sharing information from electricity supply companies and whether those properties were, indeed, empty or not. It would be useful to hear from the Minister about that, because when we raised it at the Committee we were told that that work was ongoing. Perhaps the Minister will give us a more concrete update today on how information from electricity supply companies can be better shared with the Housing Executive and social housing providers to tackle empty properties and the potential for tenancy fraud, which, we are told, is a significant issue.

With regard to the potential for housing families. If you look at many of the Housing Executive investment plans, you will see that in my constituency of Fermanagh and South Tyrone, the vast majority of areas will not see any investment in new social housing before 2020. Putting vacant properties back into use is the only avenue that we will have to try to get more tenants into social housing over the next five years.

I still think that much more investment is needed and that the Housing Executive needs to do more to demonstrate that there is a need for social housing in communities. However, if we are going to be faced with a situation where there is no investment in many rural areas over the next five years, then it is unacceptable that Housing Executive or housing association properties or, indeed, private houses, which agencies think that people are living in, are lying empty. We need to see more being done to bring those houses back into occupation. The same goes for properties that are nearly finished. Much more needs to be done to bring those properties up to a standard where they can be completed, so that people in need can be put into them. The section of information to be shared, as proposed in the Bill, is very narrow, but it is a fairly common-sense approach, so we would all support that.

Clause 2 deals with antisocial behaviour, and this is an important aspect that does need to be resolved because, too often, we hear from the Housing Executive and social housing providers that there is a small minority of tenants who are engaged in antisocial behaviour and that they have few mechanisms for establishing the prior activities of a social tenant in previous accommodation provision. Once again, it is a straightforward proposal, but I would like to see some detail about how this information will be shared in a way that complies with the various data protection Acts that exist and how that can be done uniformly across our 11 councils so that it is done with a system or a mechanism where the information can be easily accessed and it is not a situation like we have at the minute where there may be 11 different databases and, if you want information, somebody has to trawl through a book or a different form of a spreadsheet. That might be quite time-consuming and take a long list of people to try to get to the bottom of it. If this information is going to be shared, it needs to be done in such a way that people can access it easily and that there is uniformity across the system in how it is stored.

I do think that this is a sensible proposal on how we protect social landlords in making sure that repeat antisocial offenders are not abusing their rights as tenants and damaging homes or damaging communities. However, I also think that there is a need for a reciprocal arrangement for tenants to find out such information about their landlords, because we have heard a call from landlords in the private rented sector that they should have access to this information too to see how landlords in the private sector have previously behaved. If we are ever going to go down such a road, I do think that we want to see a reciprocal arrangement where information on landlords and their past behaviour with tenants should also be shared with tenants. It would be unacceptable to me if landlords could find out what previous activities tenants had been involved in but there was no mechanism for tenants to find out about the potential past activities of a small number of rogue landlords who still exist. Dealing with antisocial tenants is a problem for social housing providers, and I support, once again, what is a very narrowly focused element of the Bill.

Those are the two most substantial clauses in the Bill. I commend the Minister for his efforts. I support him in his deliberations in trying to bring this Bill forward, and I look forward to working with fellow members of the Committee in the next stage of the Bill.

**Mr Allister:** I welcome the opportunity to take part in this Second Stage debate — some weeks later than one might have anticipated, but then the Minister had some political acrobatics to engage in as he flip-flopped in and out of Government because he told us, of course, that business could not be as usual because the IRA had murdered. Once the independent panel confirmed that the IRA had murdered and, more than that, it had guns, an army council and everything else, suddenly it was time to sweep murder under the carpet and it was time for business as usual. That brings us back here today. Nothing to do with principle or conviction in politics; simply to do with buying time for the expediency of clinging to office, and so we arrive here today.

I think that the Bill embraces a number of sensible and necessary steps. I wish to comment only on clause 2 of the Bill. It quite rightly deals with a long-running problem, or an aspect of that problem, pertaining to antisocial behaviour. It is right that, within the social sector, there should most certainly be the opportunity to exchange important information about those who have been engaged in antisocial behaviour, but the fact, of course, that it is restricted to the social housing sector in the public sense points up a gap or a lacuna in the arrangements. As we know, many people are housed in the private rented sector, and antisocial behaviour, sadly, can be as rife in the private housing sector as in the social sector. Therefore, the situation that we would arrive at with the implementation of the legislation would be that, between a housing association and the Housing Executive, there would be an interchange and interplay of information about the tenancy record etc of that individual, and that is right and that is good. However, more often than not, the individual who gets into trouble because of his antisocial behaviour can walk around the corner to the private sector, and do so with immunity, because his deeds and the information on him do not follow him. If he were to walk around the corner to a housing association or Housing Executive property, the exchange of information would follow him, but not with the private rented sector. That leaves a gap in what is being attempted here.

#### 1.45 pm

We had the Minister say today that the reason for that gap, and the reason why it cannot be plugged, is that there are data protection and human rights issues involved. I have to say that that is a slightly different emphasis from what I understood the officials to have said to us in Committee. The emphasis of what the Committee was told was that it is not really possible to extend the exchange of information to the private rented sector, because it is not adequately regulated. The adequate regulation of the private rented sector could equally embrace how it complies etc with data protection, and that could be a spin-off from that. Therefore, my suggestion — I hope that the Minister will think that this is a positive suggestion — is that he should reserve to himself in the Bill an enabling clause, whereby, at the point at which the private sector is adequately regulated, he can apply, by secondary legislation, the information-exchanging provisions about antisocial behaviour to that regulated sector rather than have to start from scratch with fresh legislation to plug the gap. I therefore suggest to him that all that he needs to do at this stage is to encompass in the Bill an enabling clause, whereby, as and when the private rented sector is

adequately regulated, he can apply the essence of clause 2 to it.

I will listen with interest to hear whether there is a sound argument against that. It seems to me that it would take us some way down the road to ensuring that the sharing of information would ultimately not simply be done within the public sector and the housing association sector but cover the ambit of the rental sector, including private housing. I trust that the Minister will take and consider that idea and see whether it is a viable way forward for clause 2. I respectfully suggest that it is.

**Mr Principal Deputy Speaker:** Before I call the Minister, Mr Mervyn Storey, to conclude and wind on the debate, I have to inform him that, if he is still speaking at 2.00 pm, we will stop the debate for Question Time and restart afterwards.

**Mr Storey:** Thank you, Mr Principal Deputy Speaker. If I do not respond to all Members, they will know the reason why.

First, I thank the Members who made a constructive contribution to the debate for the time that they took. In particular, I thank the Chair of the Committee and its members. I appreciate the difficulties and the issues that we have had to deal with. I welcome the Committee's recognition of the benefits that the Bill could have by bringing empty homes back into use and tackling antisocial behaviour.

It is regrettable that, on the day that we bring the Bill back to the House, there was another incident this morning, on Bracken Avenue in Newcastle. I have already had conversations this morning with the Housing Executive. I am glad that there have been no injuries, as the situation could have been a lot worse.

I pay tribute to the Fire and Rescue Service, the police and all involved in ensuring that that incident did not result in a worse situation than we have. I have also had discussions this morning with the Housing Executive because a number of elderly people are involved in that incident, and I want to make sure that everything is done to meet the needs of the people who have been affected.

I return to the issue in front of us. The Committee was concerned at the absence of provisions on information-sharing with private rented sector landlords and that the provision on antisocial behaviour was not compulsory and there was no legal indemnity for those disclosing information. The Committee intends to give those issues further consideration during Committee Stage. I welcome the fact that the Committee has now taken a proactive approach not only on this issue but on other issues. I appreciate what my officials have done to brief the Committee on numerous occasions around a number of those issues.

Some questions were raised by Members, and, with your indulgence, Mr Principal Deputy Speaker, I will try to work my way through them. The Chair of the Committee raised the issue of why the Bill did not cover the whole range of topics set out in the consultation paper as of 2 December 2013. As you know, that consultation document proposed new legislation in regard to a new form of social housing tenancy and clarification of the legislation that provides for the Housing Executive homelessness duty to come to an end in cases of antisocial behaviour. It was subsequently proposed that the Bill should also enable the

courts to grant a more comprehensive injunction against antisocial behaviour and breach of tenancy agreement, including a power for courts to enable the PSNI to arrest without warrant persons who breach such injunctions. The timescale for progressing the Bill through the Assembly, as we all know, is tight, and, due to the requirements of making sure that we do this in a timely way, the Bill concentrates on the areas where there is a pressing need for legislation.

There was also an issue raised by my colleague Sammy Douglas and by the Chair about whether the Bill could amend the requirement of the Housing Executive to share information about antisocial behaviour with private landlords. My Bill as introduced will make provision for information to be shared with the Housing Executive or a registered housing association. Those are professional organisations that are governed or regulated by my Department, and they have governing boards and established policies and procedures in place for the proper management of what is deemed sensitive information. The Information Commissioner's Office has advised that social landlords should not disclose any personal information unless they are satisfied that the parties receiving the information have arrangements in place that conform to data protection and human rights requirements — for example, ensuring that information is held securely. Given that, unlike social landlords, private landlords do not have a governing body, I do not consider that private landlords would be in a position to meet the strict requirements of data protection and the issues in relation to human rights. The sharing of information with private landlords has not been subject to public consultation. I believe that, given the far-reaching impact of the proposal, there should be an opportunity for those who would be affected to air their views. Apart from the other considerations that I have mentioned, the timescale for taking the Bill through the legislative process is already challenging.

Mr Douglas also raised the issue of how the proposal relating to sharing information about antisocial behaviour would represent an improvement on the existing arrangements. Existing legislation only allows a limited range of information relating to certain court orders to be disclosed: it is therefore proposed to allow any person to disclose information about antisocial behaviour that may be required by social landlords for a comprehensive range of housing management purposes. Such purposes would include applying for an injunction, an anti-social behaviour order or an order for possession; conducting criminal proceedings for any offence; deciding whether to withhold consent to a mutual exchange of secure tenancy; deciding whether a tenant is entitled to exercise the right to buy; deciding whether the threat of the applicant is ineligible; deciding whether to allocate housing to any person; and deciding whether to take any other action.

Other issues were raised. I want to say in response to Mr McCann that some antisocial behaviours are the result of mental illness. We all know that there is a variety of reasons. I have had some discussions with my colleagues in Upper Bann about recent events in the Dingwell Park area, and we all know the circumstances and challenges there. Social landlords are aware of issues around mental illness, and my Department has issued guidance that emphasises the need to provide appropriate support to tenants with particular challenges. We need to bear that in mind when we look at the issue. We would all like to have



a society where we did not have to deal with these issues; however, the reality is far from that.

Let me conclude by reaffirming a point about empty homes, which repeatedly comes up and is always an issue of concern for Members. You will recall that the Department's empty homes strategy and action plan seeks to address the issue. The strategy was introduced on 5 September 2013, and we are working our way through that action plan and strategy. I hope to be in a position to give a further detailed briefing to the Committee on empty homes, but suffice it to say that steady progress has been made in meeting the targets outlined in the plan since its launch, with 13 of the 16 actions listed in the action plan either being achieved or ongoing. We could give more detail on that.

Due to the time, I will conclude by saying that I take these responsibilities seriously. Housing is an important issue, and I will be judged, I trust, on my actions and on the sincerity of those actions and not trying to make cheap political points.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Housing (Amendment) Bill [NIA 58/11-16] be agreed.*

**Mr Principal Deputy Speaker:** That concludes the Second Stage of the Housing (Amendment) Bill. The Bill stands referred to the Committee for Social Development.

## Houses in Multiple Occupation Bill: Second Stage

**Mr Principal Deputy Speaker:** I call the Minister for Social Development to open the debate on the Bill.

**Mr Storey (The Minister for Social Development):** Not moved, Mr Principal Deputy Speaker.

*Motion not moved.*

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

2.00 pm

*(Mr Speaker in the Chair)*

# Oral Answers to Questions

## Office of the First Minister and deputy First Minister

### OFMDFM: Consultation

1. **Mr McNarry** asked the First Minister and deputy First Minister to outline the external bodies they consult routinely before making departmental decisions. (AQO 9014/11-16)

**Mr M McGuinness (The deputy First Minister):** The time available does not allow me to list individually the bodies consulted by our Department during the policy development process. The OFMDFM equality scheme, which is available on the departmental website, provides a core list of 156 organisations that should be routinely consulted.

However, individual business areas are encouraged to add to that list as necessary to reflect the interests of particular stakeholders in the matter under consultation or if new groups or bodies emerge. The external bodies consulted may, therefore, vary in accordance with the subject matter and objectives of each consultation exercise.

**Mr McNarry:** I appreciate the response from the deputy First Minister and recognise the time constraints that he talks about. Would he have time to confirm that the IRA army council is also consulted routinely in decisions taken by his own office?

**Mr M McGuinness:** In the course of my duties as deputy First Minister over the last eight years, working with the Rev Ian Paisley and Peter Robinson in their capacity as First Minister, and working with four other Sinn Féin Ministers in the Executive, I do not ever recall anybody questioning any decision as having been subject to a group of people in a smoke-filled room.

I really do not think that the question is appropriate, but, in the context of the discussions that we are involved in, all of us recognise that there is a job of work to be done collectively by the Executive and by every Member in standing together against those who would try to plunge us back into the past.

In the course of the last eight years, the records of the five Sinn Féin Ministers are beyond question. As we move forward, hopefully to an agreement in the coming days, I hope that we can devise an approach and strategy that has all of us singing from the same hymn sheet to make it absolutely clear to anybody who believes that violence represents the way forward for all of us that we say no. We say that we will stand together and devise approaches and strategies to undermine those who would try to overturn the democratic and peace processes.

**Mr Speaker:** Before I call the next Member, I am stating the obvious, I am quite certain, in saying that the Minister can, in choosing whether to answer a question, decide whether it is directly relevant to the original question.



**Mr Dallat:** I thank the Minister for his answer. To get the question back on track, can the Minister indicate the yearly cost of consulting external bodies? I am not suggesting that consultation is not necessary; I would just like to have some indication of the cost to his Department.

**Mr M McGuinness:** We all understand in this House that consultation is sometimes an indispensable part of the processes that we are involved in. I do not have the cost of all of that to hand, but I will write to the Member with the answer to that question.

**Mr Allister:** Whatever the arrangements for his colleagues, when it comes to the deputy First Minister, is it simply a matter of looking in the mirror when he is taking directions from the IRA army council?

**Mr M McGuinness:** I do not think that that is an appropriate question. It obviously comes from someone who, since he came into the House in the first instance, has been hell-bent on trying to undermine the processes of the House. Obviously, the Member is dedicated to the overturn of all the agreements that have been made in the last eight years. Of course, he is a former member of the Democratic Unionist Party and decided, for whatever reason, to part ways. Clearly, when he parted ways, he walked off into the wilderness.

**Mr Speaker:** Mr Jim Wells is not in his place. Before we move on, I inform Members that questions 3 and 5 have been withdrawn.

## Syrian Refugees: Preparation

4. **Mr McCartney** asked the First Minister and deputy First Minister to outline the plans in place for the arrival of Syrian refugees. (AQO 9017/11-16)

**Mr M McGuinness:** With your permission, Mr Speaker, junior Minister Jennifer McCann will answer this question.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** We have committed to welcoming between 50 and 100 refugees by December under the vulnerable persons relocation scheme, with the intention that further groups would arrive on a phased basis. By taking this approach, we hope to resolve any unforeseen issues that might arise before further refugees arrive. We anticipate that the first group of refugees will arrive before Christmas. They will spend a short period in a welcome centre to provide orientation and prepare them for life here. Initially, they will be placed in temporary accommodation, most likely in the greater Belfast area.

The strategic and operational groups are considering a wide range of factors to ensure that we meet refugees' needs. These include the process for managing their arrival, the availability of translators and interpreters, and health, housing and education requirements. We are also taking into account any implications for the existing community. We are working closely with NGOs to ensure that we draw on their expertise and experience and involve them in our arrangements. Their support has been very helpful, particularly in ensuring that we develop plans that effectively meet the social and cultural needs of refugees and support their integration. Although the Executive are taking the lead, councils have the essential role of preparing communities for new arrivals and ensuring that they are welcomed with dignity and respect.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the junior Minister for her answer. She has given a good outline, in particular that some refugees will be coming before Christmas, which I think most people will welcome. She talked about the roles of local councils. What roles does she think that councils, in particular, will play in the integration of these Syrians into local communities?

**Ms J McCann:** As the Member says, local councils have a really pivotal role in this. They are already on the operational group that is headed up by DSD. They have expressed a willingness to play a role in creating a welcoming environment and working with communities and everything else. A number of councils have already convened their own groups. In your council area of Derry and Strabane, the group consists of church leaders, elected representatives, community leaders and representatives from minority groups. There is also a representation from the business and charity sectors. The local mayor has already joined with Trócaire to set up a special tax-giving service to allow people to donate to an emergency refugee fund. Belfast City Council also already has a subgroup that meets on a regular basis. There is an overall group that the councils are represented on. I have met the mayors of a number of councils, along with voluntary and community organisations and NGOs that deal with refugees on a daily basis. People are very keen to work together. Obviously, there is a great deal of goodwill out there among local people. We want to get the maximum benefit from that. Councils have a pivotal role to play.

**Ms Hanna:** I thank the junior Minister for her answers so far. You have referenced the pressure on the existing sector providing for refugees and asylum seekers who are already here and the concerns about the lack of an integration strategy, which means that each new arriver is having to reinvent the wheel. Is there any more funding for existing groups providing existing services? Is it likely that Northern Ireland will be open to receiving more refugees after this initial tranche?

**Ms J McCann:** I can tell the Member that we will be receiving more refugees, but on a phased basis. Obviously, you point out that there are already people here who are refugees or asylum seekers. They are from Syria and other countries. We need to ensure that those people are looked after, as well. The best way of doing it is in a partnership, collaborative approach because we also need to ensure that the groups, particularly the local groups — the voluntary and community organisations like NICRAS and others — are resourced and able to pass on whatever knowledge they have. From speaking to some people who have already come here about the difficulties that they face even as we speak, I know that we need to ensure that the people who come here in December — because they are very vulnerable people, as well. A lot of them are women and children, and they have been through great hardship and difficulties already. We need to ensure that we have the services in place, right across the board, that will meet their needs. You are certainly right about that approach, and we will look to make sure that those organisations are resourced.

**Mr Moutray:** Any Syrian refugees who come here will find a country with a very different culture to the one that they left behind. What help will be given to them to adapt in that respect?

**Ms J McCann:** You make a very valid point. It is essential that we have an approach of partnership working. As I said, there are people who are already here who have experienced the difficulties of coming here, when, for example, you do not know the language. In the first year, we will put on English language classes and so on. Also, we will look to ensure that their health and housing needs are met. We will look for places so that the education needs of their children are met. Some of these people are very vulnerable and will need special services, such as counselling and other support services. We will look to local community groups and those organisations on the ground, particularly the council representatives, because the services need to be organised in a joined-up way if we are to get the maximum benefit from them.

**Mr Cochrane-Watson:** NGOs have identified to the OFMDFM Committee a tension between what the Executive do for current refugees and asylum seekers and what is, potentially, enhanced support later this year for the Syrian refugees. What actions are being taken to try to address that tension?

**Ms J McCann:** In my previous answers, you heard about the partnership approach that we are taking. At the minute, our officials are drafting a strategy for integration. Basically, we are working away. Two groups are working at the Executive level: a strategic group that is headed up by OFMDFM, and also an operational group. There are separate groups in council areas as well. We have had a number of meetings; I myself have met a number of the NGOs and local organisations that are already working with refugees who are already here and seeking asylum. The learned experiences that those people have passed on to those organisations and which the organisations are passing on to us are going to be pivotal in taking this forward.

## Victims and Survivors: Severe Injury Pension

6. **Mr Lyttle** asked the First Minister and deputy First Minister for an update on the progress of a victims and survivors severe injury pension. (AQO 9019/11-16)

**Mr M McGuinness:** With your permission, Mr Speaker, I will ask junior Minister McCann to answer this question also.

**Ms J McCann:** Our Department continues to consider proposals for a pension for severely physically injured victims. In conjunction with the Commission for Victims and Survivors and the Victims and Survivors Service, research is ongoing into various issues, such as legislative requirements, to allow the scheme to be implemented in a way that benefits all victims and survivors. In the Stormont House Agreement it was also agreed that further work will be undertaken to seek an acceptable way forward on the proposals. As a result, our Department is looking at drafting a document that will seek opinion on various aspects of the pension proposals. The draft is to be submitted to the Stormont House implementation group for consideration later this month. We remain committed to ensuring that all victims and survivors receive the best services possible.

2.15 pm

**Mr Lyttle:** I thank the junior Minister for her update. Does she agree that improving the services available for victims and survivors in our community remains an important

task? Does she agree that it needs to be an open and transparent process? If so, why has research undertaken by the Commission for Victims and Survivors, proposing a model for a severe injury pension for victims and survivors, yet to be published?

**Ms J McCann:** Discussions about this issue are ongoing. It was raised in the Stormont House Agreement, for instance. As you rightly say, there are other issues: the development of the Victims and Survivors Service; the regional mental trauma service; advocacy; and counselling support. Pensions have been part of the negotiations. When taking this forward, we need to be very sensitive to the needs of the people involved. Having met them — I have a meeting today with some victims who were severely injured — we are really listening to their voices and what they are saying. We want to take this forward.

**Mr Campbell:** I am glad to hear that work is continuing. Does the junior Minister agree that it is important that the needs of those who were severely physically injured during the Troubles are paramount in the consideration of this issue and that the focus of attention does not become an assuaging of any guilt for what she and the deputy First Minister may have done in the past?

**Ms J McCann:** The needs of all victims and survivors are and should be central in everybody's mind when we take forward any service. As I said in my previous answer, we have been looking at a number of legacy mechanisms to develop the services, including the mental trauma service. There are also legacy mechanisms to give families the maximum disclosure that they need: the Historical Investigation Unit (HIU), information retrieval and the archive. No matter what we do through legacy mechanisms, it is very important that they are victim-centred and that people should not put party political issues before the needs of victims and survivors in any way.

## Community Safety College: Desertcreat

7. **Mr McGlone** asked the First Minister and deputy First Minister to outline any discussions they have had with the Minister of Justice on the proposed Northern Ireland Community Safety College at Desertcreat. (AQO 9020/11-16)

**Mr M McGuinness:** We are committed to providing a community safety college that provides a high standard of training for our public safety services so that they can respond effectively to the needs of the whole population. This was a Programme for Government commitment by the Executive, and we remain fully committed to it. We have not had any recent discussions with the Minister of Justice on the matter. We understand that an updated business case is being prepared to take account of a review of the projected needs of the services involved. I expect that the Ministers of Justice and Health will present recommendations based on this business case to the Executive before the end of the year.

**Mr McGlone:** Go raibh maith agat. Mo bhuíochas leis an Aire as an fhreagra. I thank the Minister for his answer. I hope that the use of the past tense in "this was a Programme for Government commitment" is not of relevance to people who are from and live in the constituency.

Will the Minister provide some detail on the efforts that have been made to recover the £53 million that had been committed by the Westminster Government to the project?

**Mr M McGuinness:** The Member will know that the First Minister and I met a very large delegation from the constituency of Mid Ulster. We made it absolutely clear during our engagement that we were still committed to the development at Desertcreat.

The big question will centre on the scale of that development.

The Member would have been in the House when I said that I was disappointed by the PSNI's attitude to its contribution to its aspect of the training college at Desertcreat, near Cookstown in County Tyrone. Over a period of years, it was obvious to me that there was little enthusiasm in the higher echelons of the PSNI for the policing facility that was on offer at that college, and that, if it ever came to fruition, the PSNI would not be determined to pursue that aspect.

We are now dealing with the needs of the different community safety agencies, whether it be the Ambulance Service, the Fire and Rescue Service or policing, but our commitment to the project remains. During the course of the very complex and extensive negotiations that are taking place, I think that the Member would be surprised if that issue was not raised. We certainly believe that the project would bring enormous benefits to the community safety services that we depend on. We are still committed to the project and to Desertcreat.

**Mr Ó Muilleoir:** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas fosta leis an LeasChéad-Aire. The deputy First Minister mentioned receiving a new proposition and business plan by the end of the year. If we can get back on course with Desertcreat, what is the expected time frame for completion?

**Mr M McGuinness:** I fully expect that this matter will be brought to the Executive in the coming days; certainly before the end of this month. The time frame for work to begin will depend on the Executive's decision, whatever that may be.

**Mrs Overend:** I thank the deputy First Minister for his responses. Since the original funding earmarked for this project was announced, it has been lost. Where does the deputy First Minister propose that funding for this can be found? Is it part of his negotiations, since it would benefit the constituency that both he and I represent?

**Mr M McGuinness:** The Member understands, as do I, and as did the previous Member who spoke, that this was a Programme for Government commitment. It has been impacted by the requirements of the different organisations that would locate at Desertcreat. Very shortly, we will take possession of a business case that will be brought by the Minister of Justice and the Minister of Health, and we will see what that brings. However, as I said previously, the First Minister and I have been committed to this project from the very beginning and we have remained true to it.

I am not pre-empting the outcome of any decision by the Executive, but paying for the project will be a matter for them to deal with. There is a huge responsibility on the British Government to recognise that the money was taken back as a result of the difficulties that were presented to the promulgation of this case. They must also recognise

the need for the community safety college, and that the Executive are determined not only to move the project forward but to point out to the British Government that they, too, could make a contribution.

## Programme for Government 2011-15: Update

8. **Mrs Dobson** asked the First Minister and deputy First Minister for an update on the delivery of their Programme for Government 2011-15 targets. (AQO 9021/11-16)

**Mr M McGuinness:** Of the 82 commitments in the Programme for Government, over 80% have been achieved, which is a significant improvement on the 70% achieved in the last Programme for Government. OFMDFM led on the delivery of 14 of the commitments, including some of the most complex and challenging issues in government. Our track record in delivery has been strong, in particular through the Delivering Social Change framework, the social investment fund and Together: Building a United Community (T:BUC). Those projects have brought new, innovative approaches and unprecedented levels of collaboration to bear on tackling the most invidious issues facing our communities.

Through Delivering Social Change, among other achievements, we have supported remarkable improvements in achievement in literacy and numeracy by our young people; we have improved and streamlined support to families with complex needs through a new network of family support hubs; and we have invested in growing the capacity of the social economy through the establishment of incubation hubs in locations across our communities.

Through the social investment fund, we have committed approximately £58 million to projects, which is 73% of the total fund. Under Together: Building a United Community, seven major good relations programmes have been put in place. They represent the largest investment in constructive community relations in our history and are a positive statement of our intention to build a better shared future. In addition, engagement with Europe has increased, exceeding targets by drawing down over £95 million of competitive funds.

When the First Minister and I published the Programme for Government, we were very clear that it was an ambitious programme aimed at achieving deep and meaningful change in the quality of people's lives. Our record and delivery demonstrate that that was the right approach.

**Mrs Dobson:** Does the deputy First Minister accept that the redevelopment and regeneration of the Maze site should not be dependent on the location of a conflict transformation centre there? Will he prioritise the redevelopment of the Maze and the jobs it will bring?

**Mr M McGuinness:** I think that the Member and her party will be very conscious of the fact that that was one of the very big Programme for Government commitments that we had agreed. The Member and her party should also be conscious that they, with others, led the way in undermining the development of that site. The Programme for Government commitment was about the construction of a peace-building and conflict resolution centre on the site, as well as the further development of the site through, for example, the relocation of the Royal Ulster Agricultural Society from the King's Hall to the Maze. It has obviously

moved forward very decisively, and a fantastic future is in store for it as a result of that move. We have been to the site on several occasions through its agricultural show in the last couple of years, and it is going from strength to strength.

I would like to see a resolution of it, but that obviously depends on the collaboration and cooperation of all parties in the House. It was unfortunate that a certain Member from North Antrim, elements in the Ulster Unionist Party, some people in the DUP and others in organisations outside of the House effectively collaborated to prevent the construction of a peace centre, which would not have been a shrine to anything other than peace.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Given the significant achievements outlined by the deputy First Minister, how can the next PFG improve on further delivering its commitments?

**Mr M McGuinness:** That really depends on the outcome of the next election. The next Programme for Government will be a matter for an incoming Executive, which the people will decide upon in that election. That said, work is ongoing to look at potential high-level objectives and identify possible delivery models and governance and accountability structures. In particular, we are exploring potential benefits of an increased focus on outcomes, through the development of an outcomes framework for the public sector. It is helpful that the development of the new structures in government and preparation for a new Programme for Government are progressing together so that future delivery of outcomes should benefit from better collaboration and decision-making with increased accountability.

**Mr McCarthy:** The deputy First Minister will be aware that, under the Programme for Government, some £80 million was set aside in the social investment fund for the regeneration and rejuvenation of areas. Can he tell the Assembly how much of that money has been spent for those purposes in those areas?

**Mr M McGuinness:** I think that I did that in the last answer. I think that it is well over £50 million.

**Mr Speaker:** We will take a quick question from Mr Seán Rogers.

2.30 pm

## Anti-poverty Strategy

9. **Mr Rogers** asked the First Minister and deputy First Minister, following the High Court ruling in June 2015 which stated that the Executive had failed to adopt a strategy to tackle poverty, social exclusion and patterns of deprivation, what actions have they taken to establish a new anti-poverty strategy. (AQO 9022/11-16)

**Mr M McGuinness:** With your permission, Mr Speaker, I will ask junior Minister McCann to answer this question.

**Ms J McCann:** The Programme for Government sets the general objectives and direction for the Executive in tackling poverty. It is also the means for integrating the activities of Departments and agencies and utilising and allocating resources between them to meet those objectives.

In the Programme for Government, the Executive made a commitment to reduce poverty, promote equality and tackle existing patterns of disadvantage through the Delivering Social Change framework. That framework was established 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 lifetime opportunities, thereby breaking the long-term cycle of multigenerational problems. However, it is clear that a lot more needs to be done to address those issues.

We have agreed not to appeal the court's judgement and are considering the recent High Court ruling. We will take account of the court's view of our statutory obligations and what is necessary to bring us in line with the requirements in law as well as in our community. We expect to bring forward further proposals in the coming months.

**Mr Speaker:** That ends the period for listed questions. I thought that I was going to be very unlucky and get a two-minute answer. We move on to 15 minutes of topical questions.

## Sport: Good Relations

T1. **Mr Anderson** asked the First Minister and deputy First Minister what OFMDFM is doing to promote good relations within sport, in view of the refusal of nationalist members of Mid Ulster District Council to support a motion to congratulate the Northern Ireland football team on its qualification for Euro 2016. (AQT 3081/11-16)

**Mr M McGuinness:** In the aftermath of the qualification, I congratulated them, as I also held out hope and expectation that the Republic of Ireland would qualify along with them. They face two very testing matches at the weekend against Bosnia and Herzegovina. I hope that they will come through those. The two managers — the O'Neills — have done a fantastic job for the North and the South.

It will not come as a surprise to anybody in the House that, not on a political level but on a purely sporting one, I believe that a single team would be much more effective in Europe and in qualifying for the World Cup. That said, I applaud the achievements of our sportspeople North and South, and I have never been reluctant — nor has the Minister of Culture, Arts and Leisure — to congratulate teams from the North that have done well on the world stage. It is something for all of us to be proud of.

**Mr Anderson:** Deputy First Minister, I hope that you relay your comments to your Sinn Féin colleagues in Mid Ulster District Council. Do you agree that the recent decision by the GAA to form a guard of honour at the paramilitary-style funeral of Declan McGlinchey in Bellaghy sends out a very negative signal to the Protestant and unionist community and does nothing to contribute to good relations in sport?

**Mr M McGuinness:** I was very saddened by the death of Declan McGlinchey. He was a young man who suffered grievously as a result of the conflict; he lost his mother and his father in that conflict. I feel a tremendous sympathy for his wife and seven children. For someone to die of a heart attack before the age of 40 is terrible for any family.

In the circumstances, it is quite obvious that Mr McGlinchey was very much a part of the GAA in the Bellaghy area. The decision of the GAA, along with other members of the community, to participate in the funeral, I think, does not indicate any sympathy for what people



might think were Mr McGlinchey's views, which, previously, were in opposition to the work that we have been involved in in the Assembly.

### NAMA Portfolio: Sale

T2. **Mrs Dobson** asked the First Minister and deputy First Minister whether the deputy First Minister has held any discussions with colleagues or officials about the sale of the Northern Ireland NAMA portfolio. (AQT 3082/11-16)

**Mr M McGuinness:** The First Minister and I have been very much involved in a lot of discussions that have taken place at the Finance Committee. Other discussions are also taking place in Dublin. It is obvious from the statements that have been issued by the Police Service and by police in the United States of America that what happened as a result of £7.5 million finding its way to a bank account on the Isle of Man is the subject of an ongoing criminal investigation.

**Mrs Dobson:** I thank the deputy First Minister for his answer. Does he share my concern and perception that sharp practices in business dealings here risk damaging the worldwide reputation of Northern Ireland as a place in which to invest and do business?

**Mr M McGuinness:** We have been very successful over recent years in showing that we are open for business. Quite a number of delegations from all over the world have come here. I think that all of them have been very impressed, to the extent that we have brought in more foreign direct investment than at any other time in the history of the state. Of course, the First Minister and I, along with Arlene Foster, when she was in the Department of Enterprise, Trade and Investment, have been very much involved in engaging with world business leaders, particularly in North America. A lot of those investments that are taking place and will take place in the future are down to those important engagements.

The issue of the NAMA portfolio is the subject of an investigation in other areas, and my sense of it is that we can move forward with considerable confidence that people who are looking at committing their businesses or establishing new ones here in the North will continue to pursue those objectives.

### Disability Strategy: Progress Indicators

T3. **Mr Allen** asked the First Minister and deputy First Minister for an update on the consultation on measuring progress indicators in the strategy to improve the lives of people with disabilities. (AQT 3083/11-16)

**Mr M McGuinness:** Junior Minister McCann will take this question.

**Ms J McCann:** We recently had a meeting with local organisations in terms of the UN commissioner who was over. We had gone out and consulted people from those organisations and groups on our disability strategy. They decided that the strategy should roll over into the next period. We are trying to ensure that the UN declaration on people with disabilities is met but that we also ensure that we have a strategy, going forward, which is resourced in such a way that we can introduce some of the signature programmes that we had been discussing in the earlier period with those organisations and groups. That is how we are trying to proceed and take that forward.

**Mr Allen:** I thank the junior Minister for her answer. As she may or may not be aware, I have had difficulties with accessibility in this great Building. Can the Minister outline whether there is any funding in her Department for Departments to improve access to their own buildings?

**Ms J McCann:** I totally appreciate what the Member says, and it is not the first time that this issue has been brought to our attention. Indeed, I think that it was two weeks ago that I spoke to people who were up here in wheelchairs, and they found accessing the Building quite difficult. That is something that we will be raising. You make a very valid point, and we certainly need to practise what we preach, so to speak. If our strategy is asking other places to have disability access, we also need to provide that for people here.

### Criminality and Paramilitarism

T4. **Mr Kennedy** asked the First Minister and deputy First Minister what measures the deputy First Minister believes need to be put in place to satisfy the desire of law-abiding citizens to finally deal with the twin evils of criminality and paramilitarism. (AQT 3084/11-16)

**Mr M McGuinness:** The Member will be as aware as any other of the delegations to the discussions that have been going on for the past eight or nine weeks that that is a serious issue that we are dealing with.

As I have said, emerging from that has to be an agreed approach by all the parties to how we will stand together against paramilitarism, armed gangs and criminality. I am 100% behind that. It is unfortunate that, in the course of the debate, some sight has been lost of the Davison and McGuigan families, who suffered so grievously as a result of the actions of the criminals who took the lives of their loved ones.

Yes, there is a huge responsibility, and I hope for a successful conclusion to the discussions that we are involved in that will feature an agreed approach by all the parties in the Assembly. That is essential. There are people on the extremes of so-called republicanism and so-called loyalism who are still determined to use violence to promote their objectives. The only way to defeat that is to make politics work, but in making politics work there is a duty and a responsibility on all politicians to stand together, as I have stood with unionist politicians over the last eight years, against both the loyalist extremists and the so-called extreme republicans who would try to plunge us back to the past.

**Mr Kennedy:** I am grateful for the reply from the deputy First Minister. Will he stand with the Chief Constable and his senior command, other political parties and the British and Irish Governments on the Chief Constable's clear stance on the status and existence of paramilitary organisations, including the Provisional IRA?

**Mr M McGuinness:** I will stand with all democratically elected politicians in the House against violence, against armed gangs of all descriptions, against criminality of all descriptions and against all paramilitary organisations. It is always possible that you will end up with recriminations when questions like that are asked in that fashion, but it is not lost on the community that I come from that, over the past two or three years, unionist politicians have had absolutely no difficulty standing alongside the UVF in north Belfast.



## Paramilitarism: Executive Strategy

T5. **Mr Dickson** asked the First Minister and deputy First Minister what contribution the deputy First Minister thinks he and the First Minister can make to an Executive strategy to combat paramilitarism. (AQT 3085/11-16)

**Mr M McGuinness:** There have been many discussions over the last eight or nine weeks, and they have all been very inclusive — the round tables, bilaterals and trilaterals that have taken place. In the discussions that I have had with the First Minister, we have effectively recognised the problem that we face in terms of opposition to these institutions, opposition to the peace process and opposition to all the political parties in the Assembly. Do I think he is serious about coming to an agreed approach that bears down in an effective way on the activities of those who would plunge us back to the past? Yes, I do, and I think that he believes that I am serious. What is required over the next while is for all politicians in the House to join us in our approach to bearing down on those who thought it was a good idea to lift a gun and go out and shoot Jock Davison and Kevin McGuigan in east Belfast. I think that —

**Mr Campbell:** Patsy Gillespie.

**Mr M McGuinness:** I hear some barracking from the other side of the House from people who have been less than constructive in the work of peace-making and reconciliation, but I will ignore that for the moment. There is a serious discussion taking place, and the outcome of all of this will hopefully see an approach that finds favour not just in the House but in the community.

2.45 pm

**Mr Dickson:** I thank the deputy First Minister for his answer. There are many statutory agencies that, unfortunately, have to deal with paramilitaries as so-called or de facto gatekeepers: what action will you and OFMDFM take to remove that scourge from the community?

**Mr M McGuinness:** It is all part of the challenge that we face. In my role as deputy First Minister over the past eight years, I have been threatened by paramilitaries. My life has been threatened by so-called republicans in different parts of Ireland. My home has been attacked. My wife has been verbally abused in the streets. I know what people face when dealing with those matters, but I have not bowed the knee to any of the people who make such threats; in fact, when they issue threats, it makes me stronger. We are trying to move from a position of recognising that we are in a society emerging from conflict into a post-conflict situation. We are not there yet — there is still a considerable amount of work to be done — but making politics work and coming to agreements such as the agreement that we are trying to forge at the moment can, on the other side, send a very powerful message to those in our society who believe that violence represents the best way forward that it is the road to no town. What represents the best way forward for us is working institutions, people being prepared to work on reconciliation processes and people working to ensure that we provide foreign direct investment and support for our indigenous businesses. If we can get our act together on all of that, I know that our young people can have a bright future and will not be rich pickings for those who would

criminalise them and drag them into activities that will see them end up in prison.

**Mr Speaker:** Time is up. We now move on to questions to the Minister for Employment and Learning.

## Employment and Learning

**Mr Speaker:** Question 1 has been withdrawn.

### Ulster University: Modern Languages

2. **Mr Anderson** asked the Minister for Employment and Learning for his assessment of the impact of the closure of the school of modern languages at Ulster University. (AQO 9028/11-16)

12. **Mr Wells** asked the Minister for Employment and Learning how his Department will ensure that the Northern Ireland workforce retains the necessary language skills to succeed at a global level, given the recent cuts in funding to third-level education. (AQO 9038/11-16)

**Dr Farry (The Minister for Employment and Learning):** Mr Speaker, with your permission, I will group questions 2 and 12.

Ulster University's decision to close its school of modern languages is the outworking of the budget cuts to my Department and the higher education sector. As a result of the cuts, Ulster University has sought to rationalise its course offerings across campuses. That has resulted in the decision to close some courses and consolidate others. The university has advised that, in making those decisions, a number of factors have been taken into consideration, including student demand, attrition rates, student satisfaction, employment statistics and research performance. The consolidation of teaching provision across all campuses will facilitate budgetary savings without impacting on the quality of teaching, which remains paramount.

The level of interest and demand from students choosing modern language subjects at Ulster University is low both in terms of the number of students who select modern language as a first choice and in terms of those who meet the requirements of the course. While I acknowledge the concern among business and other stakeholders regarding access to modern language courses, given the language skills required by the workforce, the further education colleges are well positioned to help meet the demand for modern language learning in Northern Ireland at the level needed. There is also the potential for my Department to give consideration to the provision of a business language academy through the Assured Skills programme. However, that is dependent on an identified need of a group of employers, where the availability of language skills is impeding the growth of a particular sector.

**Mr Anderson:** I thank the Minister for that response.

Local firms have said that modern language skills are crucial for the development and growth of business. The chief executive of the Northern Ireland Chamber of Commerce and Industry, Ann McGregor, has described the closure of the school of modern languages at Ulster University as a setback for exporters. In the light of the importance to our economy of countries such as China and Germany, does the Minister agree that it is vital that

both those languages are taught at university level in Northern Ireland? Does he also agree that the failure to offer such courses will simply add to the brain drain?

**Dr Farry:** We need to be slightly cautious about the latter points that the Member makes. Issues were raised around the viability of the school to begin with. That is reflected in the decision-making process in which the university has been involved. Overall, taking on board the comments made by the Chamber of Commerce and other business organisations, it is worth reflecting on the point that none of what we are doing around higher education makes a huge amount of sense. To be perfectly frank, it does not make any sense at all.

Obviously, that includes what we are doing around modern languages. I think that we would all prefer it to be different, but we have not followed through, in our actions, by having a more realistic approach to budget setting as an Executive and, in turn, through what comes through to my Department. Therein lies the difficulty of where we find ourselves today.

By way of mitigation, we could look to the further education sector and the potential for an academy to be created, where demand exists, under the Assured Skills programme. Indeed, that may prove to be a more effective way of addressing the language skills that are required by businesses. It is important to bear in mind that there can be a difference between the teaching of languages in an academic context, such as that you would find in a university, and the more practical, selective requirements of business, such as the ability to engage in sales and marketing, with an eye to exports.

**Mr Wells:** I understand that sackcloth and ashes are the order of the day. I have just realised that I missed question 2 to OFMDFM. I got slightly confused between the two sets of questions. I apologise to you and the House for that.

Minister, some of my close relatives are Swiss. When I visit them, I am appalled at how the capabilities of graduates from our part of Europe compare with the those of the Swiss people in European languages. Surely we are sending out the wrong signal to industrialists and investors when we say that, instead of expanding modern languages and its education throughout the Province, we are cutting back. Surely that is the totally wrong thing to do as we attempt to increase our markets throughout Europe.

**Dr Farry:** I will say several things to the Member. The fact that we are cutting our higher education sector in Northern Ireland is at the heart of the negative message that we are sending out to the rest of the world. We need to be mindful of how important our base — the universities and the skilled graduates that we are producing — is to Invest Northern Ireland's narrative on how it is successful in attracting investment into Northern Ireland. There are real dangers in that regard. Obviously, what we are doing around languages is one subset of that. I mentioned to Mr Anderson that the further education sector and, indeed, a potential academy approach may well be able to address the particular language requirements of the business community.

The Member made a comparison with Switzerland. It is useful to reflect on the fact that Switzerland's economy has a different approach to higher level skills. The Swiss actually have a much smaller higher education sector than us, per capita participation, but they have a much more

advanced system of higher level vocational skills. Without wanting to diminish what we are doing around higher education in Northern Ireland, we have drawn very heavily from colleagues in Switzerland in designing our system of apprenticeships, including higher level apprenticeships in Northern Ireland.

**Mr Dallat:** I have listened very carefully to the Minister. He has made reference, twice, to further education colleges taking up the slack created by Ulster University abandoning courses in modern languages. Perhaps he might detail more elaborately what consultation and discussions he has had with the colleges of further education and what additional resources he is making available to them. Finally, I will squeeze in another question. Has he had any discussions with the Minister of Education on the knock-on effect that the abandonment of modern languages will have in our schools throughout Northern Ireland?

**Dr Farry:** I have had discussions with the Minister of Education primarily around the Irish language, which we will come to shortly. The further education colleges are very clear on their own mission about supporting the local economy. As the Member will appreciate, we are finalising a new further education strategy for Northern Ireland. It will consolidate a lot of the progress that has been made in recent years. While the colleges are certainly up for the challenge, we need to be realistic about the prospect of directing more resources to them. Resources are very scarce at present, and the prospect is that they may get scarcer before the situation improves.

**Mr Cochrane-Watson:** In view of the Minister's comments on FE, can he elaborate on the capacity, ability and indeed the available funding in the FE sector to take up the challenge of modern languages delivery, because the drastic cuts have made significant cutbacks in the criteria for students already?

**Dr Farry:** That question tends to follow on from and reinforce what Mr Dallat has said. Again, to take the answer further, there are no good answers, short of actually having a more responsible approach to public finances across the board. We are not in a situation where we can make more money available to further education. The further education sector itself is already battling with cuts, has had to make very significant savings in this year's budget and, like other parts of the public sector, is looking ahead with great concern to what may be happening in the future.

We need to get our priorities right. I am very clear that we have to invest in skills across a very broad front if we are to truly transform the economy. Quite sadly, we are going in the opposite direction: we are defunding our colleges and universities. We cannot simply say that, if cutbacks are happening at universities, we will put more resources into further education. That is just not realistic. We have to make do with what we have at present and deliver things more efficiently and effectively and, at the same time, make the case for more resources through future years' budget allocations.

### Catering College, Portrush: Derelict Land

3. **Mr McQuillan** asked the Minister for Employment and Learning to outline his Department's plans for the area of derelict land that was formerly the catering college in Portrush. (AQO 9029/11-16)

**Dr Farry:** This site is owned by the Ulster University. In July 2009, the university advised that the site was surplus to requirements and that planning permission for residential use had been obtained. It was proposed that the site be offered for sale at an appropriate time, with all the proceeds being reinvested in the university's core business. The university has advised me that the position has not changed.

**Mr McQuillan:** Could a portion of this site be used for a new site for Mill Strand Integrated Primary School? It is in desperate need of a site in that area, and there is no green space at all apart from that site.

**Dr Farry:** At a personal level, I would be more than happy to see the school get new premises. Ultimately, those are conversations to be had between the Education Authority and the university. I am sure that, not least on the back of the comments made by the Member, those conversations can take place.

**Mr Ó hOisín:** Like others, I would support the relocation of Mill Strand Integrated Primary School, although I do not believe that that site would necessarily be its first choice. If that is not to be, the Minister will be aware that, with the Open coming up in 2019, there will be demand for hotel accommodation. Perhaps he would agree that that might be a consideration.

**Dr Farry:** I am happy to concur with the Member that, again, that may well be a useful way to look at the future of the site. I should stress that these are not matters for me or the Department: this is for the university to take forward. Again, I am sure that the university will pick up the comments that have been made by the Member and continue efforts to explore a more productive use for the site than the current situation.

## European Social Fund: Difficulties

4. **Mr Weir** asked the Minister for Employment and Learning for an update on how he is resolving funding difficulties in relation to groups involved in the European social fund. (AQO 9030/11-16)

**Dr Farry:** My Department is continuing to process final claims from projects that were originally funded as part of the European social fund (ESF) between 2007 and 2013. The majority of organisations have now received full payment under the programme. My Department has brought on board additional staff to further assist this process and to ensure that it is completed as soon as possible. I am pleased to report that 66 projects under the 2014-2020 programme are now fully up and running. Many of the projects have been operational since April, while some other EU-funded programmes from the 2014-2020 funding round, here and in other parts of the UK, have yet to initiate their application processes.

In order to ease cash flow issues for the new projects, I have agreed to my Department's implementing an interim measure whereby 50% of the ESF and DEL contribution in unpaid claims is paid now and vouched later. Applying this process has alleviated the initial financial pressures that the projects have experienced, whilst work continues apace to ensure that all claims are fully vouched in line with audit requirements. In tandem with this, the Department has brought further staff into the ESF

managing authority on a temporary basis in order to assist with the vouching of all claims.

I am confident that this combination of short-term measures has gone a significant way to addressing the backlog of claims and will soon bring the managing authority to a position whereby it can efficiently vouch each individual claim as and when it arrives.

## 3.00 pm

**Mr Weir:** I thank the Minister for his response so far. Will he outline what further meetings he intends to have with groups that are still impacted by the problems with ESF funding?

**Dr Farry:** At this stage, I am open to groups that wish to get in touch with me and ask for meetings, and we will look to facilitate those. Obviously, my officials will have ongoing interaction with them, and the managing authority meets groups to discuss problems. There is a range of avenues through which we have ongoing dialogue with the groups that benefit from the European social fund.

**Mr Swann:** Will the Minister update the House on the two judicial reviews being taken against the Department on the European social fund?

**Dr Farry:** Strictly speaking, those judicial reviews are not yet at the point at which they are being taken against the Department. That remains to be seen over the coming weeks. We will, obviously, defend our position in the event of any challenge. I am certainly confident about the procedures that have been deployed by my Department and officials over the incoming 2014-2020 period, although we are always happy to learn lessons about how things can be done better. We are in the hands of the process, but I stress to the Member that it remains to be seen whether, in practice, anything will transpire.

**Mrs McKevitt:** Are any outstanding moneys for the groups still there? You said that the approach was that you were paying now and the groups would apply later, but are there still moneys for ongoing programmes that groups have applied for and not received?

**Dr Farry:** There are two processes in play. One is the closure of the outgoing 2007-2013 period. The Member will know that we put measures in place at the beginning of July to accelerate the closure of that programme, and good progress has been made. We are down to the final outstanding payments, and, hopefully, those will be cleared up before the end of this calendar year. The second process is the flow of resource to projects in the incoming programme between 2014 and 2020. As I set out in the main answer, we have put in place a process of accelerated payments in the form of a 50% contribution towards unpaid claims: in effect, we pay now and vouch later, and we are happy to do that at our risk. That is a fairly low-risk approach for us to take. Hopefully, that delay in the system will work itself out over the coming months, and we will be back on a level playing field and addressing claims as they come in.

**Ms Lo:** What impact is the ESF having on communities across Northern Ireland?

**Dr Farry:** It is important to recognise that — I made this point in the main answer — we have the European social fund for 2014-20 up and running. We managed that without any break in coverage, albeit that it was rather tight at the

end of March into the beginning of April. The timescales provided to us by the European Commission for the clearance of our operational programme meant a very tight turnaround. It is worth noting that we are well ahead of many other parts of the European Union in having our European social fund up and running. Certainly, we stand in a good place compared with the situation elsewhere in the UK.

Of course, the European social fund itself makes a massive contribution to the provision of skills and to bringing people closer to the labour market across Northern Ireland. I am pleased that we have 66 projects up and running. We have a commitment over the next three years whereby in excess of €110 million is due to be spent on what we do to support the community and voluntary sector and to support others, particularly those who are most marginalised from the labour market and from those skills, in improving their life opportunities.

### Ulster University: Irish Language

**5. Mr Sheehan** asked the Minister for Employment and Learning for his assessment of how the closure of full-time Irish language classes at Ulster University in Belfast will affect the revival of the Irish language in Belfast. (AQO 9031/11-16)

**7. Mr D Bradley** asked the Minister for Employment and Learning to outline the rationale behind the termination of the full-time Irish BA degree at Ulster University in Belfast. (AQO 9033/11-16)

**Dr Farry:** Mr Speaker, with your permission, I wish to group questions 5 and 7. As a result of the budget cuts to my Department, Ulster University has sought to rationalise its course offerings across campuses, which has resulted in the decision to close some courses and to consolidate others. This includes the consolidation of Irish courses at the Magee campus. A bachelor's degree in Irish language and literature will continue to be offered at the Belfast campus as a part-time study option. The university has advised that, in making these decisions, a number of factors have been taken into consideration, including student demand, attrition rates, student satisfaction, employment statistics and research performance. Consolidation of teaching provision across all campuses will facilitate budgetary savings without impacting on the quality of teaching, which remains paramount.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Does he agree that Belfast's reputation as the Irish language capital of Ireland has been built on the phenomenal foundation of Ulster University in York Street? Does he accept that it is a blow to the city and its reputation for this course to have been ended?

**Dr Farry:** It is important to clarify that the course has not been ended: the university has sought to consolidate its full-time provision in the Irish language at the Magee campus in Derry. Without wishing to intrude on internal Sinn Féin politics, I was under the impression that people were keen to see the expansion of the university at Magee and certainly to build up Magee's impact in taking forward a number of courses. Obviously, Magee is not that far from Belfast, and, as we expect students to travel to Magee for a range of other courses, particularly as courses are consolidated, the provision for Irish language should not

be any different. It would be nice, of course, to have a situation in which the full-time provision was available in Belfast and Derry, and the Member will be fully aware of the context in which the decisions have been taken: cuts to the higher education budget. In the context of an improved situation, I hope that the university's approach could be reconsidered, and we could see the restoration of some full-time provision in Irish language in Belfast. As we look to the development of a Gaeltacht quarter in Belfast, for example, a certain logic and synergy could be developed. I certainly would not be disparaging about the fact that course provision is going to Derry, and I encourage the Member to recognise the difficult decisions that the university has been taking and the fact that it has, in the main, preserved Irish language provision overall.

**Mr Poots:** Is it not the case, Minister, that your Department has had to deal with severe cuts in its funding, not least because £10 million a month of fines were being paid back to Westminster as a result of the failure to implement the Stormont House Agreement and welfare reform? This is a consequence. The cuts to Irish language budgets and Irish language at universities are a direct consequence of Sinn Féin's actions in ensuring that those fines are sent to Westminster instead of being spent on universities?

**Dr Farry:** I concur with the Member in the main: we are in a very serious situation with our public finances. We need to have much more financial responsibility, and that starts with a resolution of the situation on welfare reform and the cessation of money leaking out of Northern Ireland through welfare fines. Obviously, there have been serious consequences for our higher education provision. It is worth stressing again that Irish language provision has escaped the axe. We have seen a consolidation of provision in Derry rather than having it split between Belfast and Derry. People should take some comfort from that, particularly those who are Irish language enthusiasts, because the university has sought to preserve what has happened. Across the board, consolidation means that less money is spent on overheads, which allows the university to do more to maximise the number of student places that are retained in what is otherwise a very serious situation in which places are being lost.

**Mr B McCrea:** Minister, given that Ulster University receives 40% of its funding from your Department and a significant amount of the balance from student loans, which also have a government bias, is it appropriate that you should be more directive in telling the universities what studies they should deliver and on which campus?

**Dr Farry:** No, I do not. I think that we need to show a degree of caution in how government seeks to micromanage what happens in universities, the education sector, hospitals, the health service, museums, sporting organisations and arts organisations. We have to have a pluralist society in this country. We have to respect the fact that we employ professionals and recognise that civil servants and Ministers are there to take broad-based decisions on policy and resources. In doing so, we have to recognise that we have, whether it is NDPBs in other situations or universities, formally autonomous bodies. We have to trust those who are professionally qualified to take the decisions on how best to use scarce resources and to invest in courses that are relevant to the future of our economy and which have an impact on the further development of our society.



## Special Educational Needs: Post-19 Provision

6. **Mr Moutray** asked the Minister for Employment and Learning to outline the progress made on post-19 special educational needs provision. (AQO 9032/11-16)

**Dr Farry:** My Department is committed to ensuring that anyone over 19 years of age with learning difficulties or disabilities, and who can benefit from available provision, can avail themselves of the opportunities on offer. The offer includes a range of education, skills and employment provision such as Training for Success, apprenticeships, further and higher education, programmes funded through the European social fund, careers guidance and employment support services.

In addition to the current provision, I recently initiated a number of strategic approaches that, cumulatively, will enhance our provision for those who are post-19 and deliver improved support and services. Those include the outworking of the review of careers support; the implementation of the new youth training strategy, Generating our Success; the further education strategy; an employment and skills strategy for people with disabilities; the delivery of a wide range of support services under the new European social fund programme; and the new economic inactivity strategy. Those initiatives will put in place additional and improved provision that young people with learning difficulties or disabilities can access to achieve their education, skills and employment goals.

Furthermore, my Department chairs a cross-departmental group that has been considering current gaps in provision and opportunities for making improvements to services for young people with severe learning difficulties or disabilities who are making the transition from school to adult services. The work of that group has resulted in a transitions action plan, which sets out a range of proposed actions across government that aims to deliver improved support for people post-19 with severe learning disabilities.

The action plan, which was agreed in May 2015, will be monitored by the Bamford interdepartmental senior officials group, which will report to the ministerial group. My Department will be responsible for collating the necessary information and updates from relevant lead Departments in order to assess progress.

**Mr Moutray:** I thank the Minister for his response. He will be aware, no doubt, of the angst that often comes to families of children with special needs when they turn 19 and have to leave their special school. Has he consulted schools such as Ceara in Lurgan and Donard in Banbridge, both in my Upper Bann constituency, on issues like that?

**Dr Farry:** First of all, I identify with the sentiment that the Member outlined — the real difficulties and fears that families experience in the transition from special school to adult services. Going from that certainty to a very uncertain situation has often been described to me as feeling like you are walking off a cliff. It is in that context that we have this action plan in place to better advise on the services available across a range of provision, whether in the Department of Health or in my Department through the further education sector and employment opportunities. There are often gaps between what Departments can offer. It is important that we use the

strategy and the action plan to try to close those gaps. Obviously, the Department of Education is an important partner in that regard. I have not personally had a discussion with the schools that the Member refers to. It is the Department of Education's responsibility to engage with them and to reflect their experiences and concerns to the Civil Service group and the ministerial group as we try to take forward the action plan. Proper signposting to the available services and identifying and trying to overcome the gaps will be critical aspects of the work that we take forward.

**Mrs Dobson:** What assurances can the Minister give that the reduction in college places will not adversely affect young people with special educational needs entering further education and those already progressing in community and off-campus provision? Minister, you are aware of the particular concerns in my constituency of Upper Bann.

3.15 pm

**Dr Farry:** We have sought to protect those places in the cuts that have been made to the further education sector this year. That is my intention as we look to further years as well, because I recognise the importance of the provision and how families rely on that.

It is also important to recognise that, during my term in office, we have had a 50% increase in resources available through the additional support fund for students in further education. That commitment also remains very much in place.

We are also taking forward the public consultation on a new employment strategy for people with disabilities. Again, that is a fresh commitment that we are making. We are privileged to have support from a whole range of community and voluntary sectors, particularly those that are funded through the European social fund, who will be our partners in the delivery of that strategy once it is formally agreed in the new year.

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

## Construction Sector: Employee Gaps

T1. **Ms P Bradley** asked the Minister for Employment and Learning what action his Department has taken to address the employee gaps in the construction sector. (AQT 3091/11-16)

**Dr Farry:** First of all, we work very closely with the construction employers, and the Construction Industry Training Board is a non-departmental public body of my Department. The Member will also be aware that we are taking forward new strategies for apprenticeships and youth training. We are working towards a sectoral partnership for the construction sector, whereby it can identify its very particular training requirements and work in partnership with the colleges and other training providers around the creation of a refreshed curriculum for what is required to ensure that the sector can continue to flourish in Northern Ireland.

**Ms P Bradley:** I thank the Minister for his answer. I was recently at a meeting with Helm Housing in Rathcoole housing estate, looking at a new development there, and some of the issues that were brought up were



around social clauses and apprenticeships. They had been working with Northern Regional College to try to address some of those issues, and they found that quite problematic. I just want to ask for your assessment of the further education colleges' placements in construction sites. How good has that been to date, and how can that be improved upon?

**Dr Farry:** The Member will be aware that we are moving from the outgoing system of Training for Success and previously programme-led apprenticeships, which may be at the heart of the tensions that have existed in finding placements because that has not always gone as smoothly as has been the hope in the past. Under the new systems, that situation should be improved because we are going to see a much stronger focus on employer-led advice on where particular training is required rather than the sector guessing where it is.

I am conscious, however, that our situation in Northern Ireland is turning around, and we are now seeing that with people expressing concerns about the future pipeline of talent. We are committed to working very closely with the FE colleges. We have a very strong track record of what they do to support construction. In some ways, that is exemplified by the stunning success that Northern Ireland has had in skill competitions and, most recently, WorldSkills. To put that in context, Northern Ireland managed to achieve 40% of the entire UK medals in WorldSkills in São Paulo in Brazil in August this year. Gary Doyle, who was a former student of the Southern Regional College, won the gold medal and is essentially now the world's best plumber. That is a great accolade, and it really shows the real effort that colleges are making in investing in construction skills that we are achieving that level of success.

### Academic and Professional Qualifications: Fermanagh and South Tyrone

T2. **Ms McGahan** asked the Minister for Employment and Learning whether he is aware of the startling figures in her constituency that state that almost 42% of those people aged 16 and over who live in Fivemiletown have no academic or professional qualifications, with similar figures for neighbouring areas stating that the figure in Clogher is almost 40%; in Aghnacloy, it is almost 37%; and, in Ballygawley, it is almost 35%; and, if he is not aware, will he give these alarmingly high figures his attention. (AQT 3092/11-16)

**Dr Farry:** I agree with the Member that those figures are alarming, but I regret to say that they will be reflected in many other parts of Northern Ireland as well. We do have some major issues with underachievement in our education system, and we have historic problems with those who have low or no qualifications. That is why it is so important that we are investing across a very broad front of educational opportunities and training opportunities. There is a role for the Department of Education, for which the Member's colleague is the Minister, and my Department obviously has a role to play. It is important that we have a joined-up strategy that bridges the two Departments; seamless progression between school and training opportunities, including the new system of youth training and apprenticeships, and through to further education and higher education; and early warning of those who are likely to leave school without any formal qualifications so that we

are able to put in place measures to try to capture them and to see what other techniques we can deploy to try to ensure that they get on the first rung of the ladder of skills and qualifications.

**Mr Speaker:** I call Mr Roy Beggs. Sorry, I call Ms McGahan for a supplementary. I beg your pardon.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his response and commend him on his efforts to tackle the skills deficit in the North. What measures and actions can he take immediately, in improving prospects for those local people and providing support, to deal with this alarming problem in a rural area, where proximity to services appears to be the problem?

**Dr Farry:** We can offer some limited support through transport to further education, depending upon people's personal situation, through application to their local college, which will be South West College in the case of the areas that the Member mentioned. Ultimately, this requires resources, and the more resources that we have, the more we are able to invest in those types of interventions. For example, we have a NEETs strategy, Pathways to Success, for which there is no effective budget. That budget essentially expired at the end of March 2015. I had hoped that it would have been renewed in different circumstances, but it was one of the first things that was dropped when the Executive were trying to wrestle with balancing their budget. We also have an economic inactivity strategy, which was agreed by the Executive in April this year, and, again, that has not been commenced because of the absence of resources. We essentially have two strategies sitting on the shelf at present that we could activate if we had the resources. Those would directly benefit the Member's constituents in the circumstances that she mentions.

### Manufacturing: Skilled Craftsmen and Women

T3. **Mr Beggs** asked the Minister for Employment and Learning how he and his Department proactively monitor the demand for skilled craftsmen and women, such as fitters and welders, in order to maintain current demand and meet future demand in the manufacturing industry, given that, last week, we learned that private sector employment is increasing in every sector in Northern Ireland except for manufacturing. (AQT 3093/11-16)

**Dr Farry:** I chair a working group for engineering and advanced manufacturing, which brings together business organisations, our colleges, our universities and a representative sample of employers. We have an action plan that examines the different skills requirements, and we seek to update that on a regular basis. There is a strong pipeline of skills. There is obviously more that we need to do in that regard, but opportunities also depend upon the underlying economic climate in Northern Ireland, and that, in turn, is affected by what is happening in the wider global economy.

It is a difficult and challenging time for manufacturing. Obviously, we have heard some very difficult and troubling announcements in recent weeks and, indeed, over the past couple of years, but it is important that we continue to talk about the underlying strength of manufacturing in Northern Ireland and the fact that we have a critical number of world-class businesses that really are making major

contributions and are exporting beyond Northern Ireland to other markets.

**Mr Beggs:** Last week, my colleague Robin Swann and me visited Larne Skills Development and learned of its remarkable 96% success rate in moving trainees into full-time employment by working closely with private sector companies in meeting their needs. One issue raised with us was the demographics among the welding community. In the next 10 years, a high proportion of welders will be approaching retirement age. How are those demographics being addressed? Will the Minister ensure that we do not reach a situation where there are vacancies for key skills where gainful employment could be had and that the skills will be developed to meet the needs of industry?

**Dr Farry:** The further education sector can respond to requirements from employers and where there are gaps. This week, we are launching Northern Ireland's first skills barometer, which takes down to a more granular level where we see pressure points emerging in our economy. That advice will be there to help policymakers, and those in charge of resources, so that they can use them more efficiently and effectively, as well as advising those making career decisions.

We invested in welding academies at Belfast Metropolitan College and the Northern Regional College, particularly to ensure that Harland and Wolff has a stream of people skilled in the welding required for oil rigs, which is a highly skilled and lucrative occupation.

## Steps 2 Success: Voluntary or Mandatory

T4. **Mr Flanagan** asked the Minister for Employment and Learning, given that, although his understanding following consideration at Committee was that Steps 2 Success was a purely voluntary scheme for participants, it has subsequently transpired that it is mandatory for people aged 18 to 24 after nine months and for people aged 25 and over after 12 months, for an indication of when that policy decision was taken or was that the purpose of Steps 2 Success all along. (AQT 3094/11-16)

**Dr Farry:** I am not sure at what stage the Member was under the impression that this would be a purely voluntary process; that was never the undertaking given by me or my officials at any stage in the development of Steps 2 Success. Steps 2 Success is a fresh programme that replaced Steps to Work. That process of referral to Steps to Work was in place long before Steps 2 Success was considered.

Steps 2 Success seeks to learn positive lessons from Steps to Work. It also took on board the implications of how work programmes were taken forward elsewhere in the UK. That allows us to have a very Northern Ireland-orientated system that meets our circumstances and has a more focused approach to the needs of the individual and ensures that everyone is assisted in their search for work.

However, I am puzzled as to why the Member ever thought that participation in this programme was ever purely voluntary.

**Mr Flanagan:** I thank the Minister for his answer, but he will establish me in puzzlement later. Does the Minister believe that Steps 2 Success is a worthwhile programme? There have been 21,000 participants until June 2015, but only 1,500 did so voluntarily. That is less than 9% and

at a total cost of £14 million to your Department. Will the Minister tell us whether he thinks it is a worthwhile scheme or whether his Department is merely implementing a lightened version of the work programme that has been so ridiculed in England?

**Dr Farry:** The Member will be aware that there is a degree of conditionality with jobseeker's allowance. That is out of our hands, so it is important that we respond where people are in long-term unemployment.

If we do not have a programme in place, we have a vacuum in the offering made by my Department, or any successor Department, in addressing the long-term unemployed. We sought to ensure that what we put in place met the circumstances of Northern Ireland. That is one of the attractions and benefits of devolution.

If we had not had devolution, we would have had in place in Northern Ireland the same Great Britain Work Programme that Scotland and Wales have, given that employment matters are not devolved in those contexts. In putting in place our own programme, we sought to be much more sympathetic to the direct needs of our own economy and to ensure that we treat everyone as an individual and understand their particular requirements in investing in skills and trying to avail themselves of employment opportunities.

## 3.30 pm

It is important that we try to help people out of unemployment. It is not a situation that they want to be in, and it is not a situation that is good for our society. I have met very few people who actively want to be unemployed. People are not moving into Steps 2 Success with any sense of compulsion. It is technically mandatory, but it is seen as an opportunity for people to try to transform their lives.

# Question for Urgent Oral Answer

## Health, Social Services and Public Safety

### Donaldson Report

**Mr Speaker:** Mr Jim Allister has given notice of a question for urgent oral answer to the Minister of Health, Social Services and Public Safety.

**Mr Allister:** Why did the Minister of Health, Social Services and Public Safety choose to outline his policies on an issue as important as the outcome of the Donaldson report at a conference in Ballymena rather than making an oral statement in the House?

**Mr Speaker:** I have been advised that, unfortunately, the Minister is unavailable to respond to the question at this time. I have written to the Minister expressing my disappointment. This, I believe, is one of the key and most important strategic decisions that has been taken by any of our Ministers, and I am very anxious to facilitate Members in questioning the Minister. Consequently, I am going to move this question to the same spot tomorrow, 24 hours from now. I am sure that the Minister is anxious to discuss this matter with Members and the House, so we will move it to this time tomorrow.

**Mr Allister:** On a point of order, Mr Speaker. As I understand Standing Orders, they require notice of such a question to be given by 10.30 am to allow the Minister a four-hour window to arrange to be here. This is a Minister who has been in this Building today and who I wanted to question as to the contempt that he showed for the House in making a key policy announcement outside the House and avoiding the questioning of it within the House. Then, we are told that he compounds that contempt by simply saying, it seems, that he is too busy to be here. Is that not a serious challenge to the authority of the House?

**Mr Speaker:** I have to say that that sounded more like a statement than a point of order. The criteria for eligibility for urgent oral questions does not include either the requirement or the foreknowledge that the Minister will be available. I understand, and I suppose others understand, that there is another engagement nearby that urgently requires the attention of Ministers, but I noted the attendance of the First Minister and deputy First Minister and both junior Ministers at Question Time. I think that I have taken a reasonable approach. We will, hopefully, be able to deal with this matter in an appropriate fashion this time tomorrow. Let us move on.

**Mr McKinney:** On a point of order, Mr Speaker —

**Mr Speaker:** Is it a separate point of order?

**Mr McKinney:** It is related.

**Mr Speaker:** No, I do not want to take any further discussion on this. I have made my decision, and I think that that is sufficient for now. There will be an opportunity to discuss it tomorrow. Let us move on.

## Committee Business

### Assembly and Executive Reform (Assembly Opposition) Bill: Extension of Committee Stage

**Mr Moutray (The Chairperson of the Assembly and Executive Review Committee):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 26 January 2016, in relation to the Committee Stage of the Assembly and Executive Reform (Assembly Opposition) Bill [NIA 62/11-16].*

As provided for in Standing Order 33(1), on 12 October 2015, the Assembly and Executive Reform (Assembly Opposition) Bill was referred to the AERC for Committee Stage. The Committee was asked to consider and report to the Assembly no later than 30 November 2015. The Bill contains nine parts, 24 clauses and a schedule, which sets out 10 areas that may, subject to the approval of the Assembly, be included in an Assembly and Executive reform motion. The purpose of the Bill is to provide for the formation of an Assembly opposition, with certain rights and benefits, and, in the words of the Bill itself, “to promote constitutional change” and “reform the Executive.”

It goes without saying that any Bill that seeks to change the constitutional arrangements of the Assembly merits careful consideration. At its meeting on 13 October, the Assembly and Executive Review Committee agreed to issue a call for evidence to invite interested parties to submit their views on the Bill. The Committee considered an extension to the Bill’s Committee Stage necessary in order to give stakeholders adequate time to respond and to enable the Committee to reflect on the evidence received.

The Committee believes that, to do justice to the Bill and the matters that must be considered, additional time is required before reporting to the Assembly. To date, the Committee has heard oral evidence from legislative experts and leading academics, and the call for evidence is due to close tomorrow. Further oral evidence sessions are planned for the weeks ahead. The Committee therefore asks that, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 26 January 2016 for the Committee Stage of the Assembly and Executive Reform (Assembly Opposition) Bill.

*Question put and agreed to.*

**Resolved:**

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 26 January 2016, in relation to the Committee Stage of the Assembly and Executive Reform (Assembly Opposition) Bill [NIA 62/11-16].*

## Private Members' Business

### Ballymurphy 1971

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

**Ms McCorley:** I beg to move

*That this Assembly calls on the Secretary of State to join the Irish Government in supporting the proposed investigation into the events in Ballymurphy in 1971, when 11 civilians were killed, to be conducted on the same basis as the Hillsborough football stadium investigation and jointly funded by the two Governments.*

Éirim inniu leis an rún seo a mholadh, agus tá mé lán-sásta é a dhéanamh. I am very content to move the motion, which is very important for the families of the Ballymurphy massacre victims.

Tá sé 44 bliain ón Samhradh 1971 nuair a chuaigh Arm na Breataine ag dúnmharú daoine ar feadh trí lá i mí Lúnasa. Forty-four years ago, in the summer of 1971, in the month of August, the British Army went on a three-day killing spree. Throughout the greater Ballymurphy area, it wreaked havoc on the streets, and, at the end of those three days, 11 people lay dead and lives were changed forever. Those who died were Father Hugh Mullan, Francis Quinn, Daniel Teggart, Joan Connolly, Joseph Murphy, Noel Phillips, Edward Doherty, John Laverty, Joseph Corr and John McKerr. Paddy McCarthy died later after a heart attack, as a result of being put through a mock execution by members of a British Army foot patrol. Mar thoradh, chaill 57 páiste tuismitheoir agus scriosadh teaghlaigh. As a result, 57 children lost a parent and families were devastated. Indeed, the whole community of greater Ballymurphy was traumatised by this mass murder.

For over four decades, the families of those who were killed have been tirelessly campaigning to find out the truth of what happened over those three days, who was responsible and what decisions were taken that led to the murders of their loved ones. Those efforts have been consistently thwarted, with closed doors at every turn. Notwithstanding that, however, a robust body of evidence has been gathered over the years by the families that points to the clear fact that all those people were innocent victims, unlawfully killed, and that the actions represent a breach of article 2 of the European Convention on Human Rights. As Pádraig Ó Muirigh, the families' solicitor, stated:

*"The case raises serious questions regarding human rights abuses committed by the British Army and of a culture of impunity in the north of Ireland in which members of the security forces routinely were above the law."*

In the immediate aftermath of the atrocity, the GOC of the British Army and the Chief Constable of the RUC jointly decided that the Royal Military Police would carry out an investigation, and a very poor and shallow investigation it turned out to be. There was no probing or searching for the truth, no attempt to challenge the inconsistencies in

soldiers' statements and no place given to the eyewitness accounts of local people whose evidence refuted that of the soldiers. Significantly, no investigation was carried out by the police force at the time: the RUC. At the original inquest in 1972, vital evidence was withheld from the coroner, and the statements accepted from soldiers were riddled with inconsistencies. Those statements were just accepted without question. There has been a total failure to bring about adequate inquests in the cases. Mar sin de, fágadh teaghlaigh dhúnmharú Bhaile Uí Mhurchú ar an trá bhán, mar a bheadh Oisín i ndiaidh na Féinne iontu agus an doras druidte os a gcomhair. The families of the Ballymurphy massacre were left distraught and bereft, and the door closed before them.

After many years of campaigning, the families produced overwhelming new evidence and witness statements, which resulted in the Attorney General for the North of Ireland directing the coroner to reopen the inquest in 2011. Four years on, however, no inquest has taken place due to the failure of the MoD and the PSNI to fulfil their legal requirements to assist the inquest. Níl aon mhuinín ag na teaghlaigh go rachaidh seo áit ar bith. The families remain very sceptical that this avenue will lead anywhere. The whole issue of legacy inquests cries out for fundamental reform, and, as we know, this is part of the current negotiations, which as yet are incomplete.

**Ms J McCann:** I thank the Member for giving way. Does she agree that families such as those who lost loved ones in the Ballymurphy massacre in 1971 are entitled to maximum disclosure and that the British Government are protecting the people responsible for that murder and the people in the British state who knew about it? In a sense, they are still covering up what happened by refusing the families an inquiry. That is why it is important that the Stormont House Agreement mechanisms are brought forward in such a way as to give the maximum disclosure that the families are entitled to.

**Ms McCorley:** I agree with everything that the Member said. There needs to be a very robust outcome to the legacy issue in the Stormont House Agreement.

Tá an rud atá na teaghlaigh a iarraidh simplí agus díreach. The families' demands are simple and straightforward. They want an independent panel to be set up to give in-depth oversight of all the documentation on the causes, context and consequences of the Ballymurphy killings in August 1971. The seven-person panel must have the trust and confidence of the families. The documentation must include evidence on the part played by the British Government, the British Army, the RUC, the DPP and the coroner's office. A report must be published informing the public of the comprehensive detail of everything that happened. This is a necessary process that must also include simultaneous consultation with the bereaved families, at the end of which each family should have a separate confidential report on the panel's findings on the death of their loved one. Finally, on costs, it should be made clear that what is sought here is not a Saville-type investigation, as carried out into Bloody Sunday; what is proposed is time-bound work, similar to the investigation of the Hillsborough tragedy, lasting between 12 and 18 months. The British and Irish Governments should share the costs arising from the panel's work.

In the last number of weeks, Janet Donnelly succeeded in having her father's body exhumed, and it is now being



scrutinised for evidence by two forensic experts. Joseph Murphy's family said from the start that they believed that he was shot, into his open wounds, at a military barracks after being injured and that a bullet may still be lodged in his leg. Initial evidence from the exhumation certainly seems to suggest that there was indeed a second bullet. Rather than being treated for his injuries at the time, Joseph Murphy was beaten and then shot again.

To add to their pain and loss, Joseph's family, along with the other Ballymurphy families, have had to endure rejection, insults and closed doors from British agencies for asking for the truth about what happened to their loved ones. More recently, Secretary of State Theresa Villiers rejected their proposal for an investigatory panel to be set up. She said that she was very moved by their pain and loss but did not feel that the public interest would be served by establishing an independent review. Secretary of State, I beg to differ, as do the Ballymurphy families. *Níl ciall ar bith le do fhocail do dhaoine atá ag iarraidh na firinne.* Your words mean nothing to people who seek the truth.

### 3.45 pm

It is heartening to see the response from the Irish Government in recent times. Taoiseach Enda Kenny also expressed his disappointment at Theresa Villiers's failure to appoint a Hillsborough-style panel. He visited Ballymurphy earlier this year and listened to personal accounts of what happened from bereaved family members. He told them that he supported their case and undertook to raise it with David Cameron. We call on the British Government to do the decent thing and join the Irish Government to help bring forward the truth of what happened in August 1971.

"‘Truth’ is a small word, but a daunting concept." — so said Professor Phil Scruton, who was central to the campaign for truth after the Hillsborough disaster, which eventually succeeded in uncovering all of the truth of what happened on that terrible day in 1989. The families in Ballymurphy who lost their loved ones in 1971 are just as entitled to their truth. The 11 people who were brutally done to death on their own streets by the British Army will never regain the lives that they should have had, and those they left behind can only imagine the richness of the lives they should have shared. *Tá sé ceart agus cóir go mbeidh a lá firinne acu faoi dheireadh.* It is only right and just that they should finally have their day of truth.

**Mr Craig:** Ballymurphy in 1971 was one in a long list of events in Northern Ireland that created a long list of victims, victims of a war of terrorism that was waged in the Province. It was one horrific event in a long list of horrific events in the history of Northern Ireland. It was, unfortunately, neither unique nor the worst to take place in the Province.

I have listened with interest, and I have absolutely no doubt that the victims and the families who are left want to hear the truth of what actually occurred in that unique piece of our history. It is something that I certainly have sympathy with and understanding of. This was not the only event to take place where no one has been brought to account and where we had major breaches of article 2 — the right to life — in the Province. My family suffered from that in the bombing of Newry police station, when eight police officers were bombed to pieces and there was nothing left. No one was ever brought to book. No investigation ever uncovered what

happened there. The truth is out there, and there are those on the opposite Benches here today who, I suspect, know something of the truth of that situation but refuse to bring it forward. There is hypocrisy on all sides about these things.

Will we get satisfaction for the families? I have severe doubts. Will yet another inquiry bring any closure for them? I have my doubts, because I have looked at what happened with the Bloody Sunday inquiry, where millions upon millions of pounds of taxpayers' money was spent that could have been used elsewhere. Is one person any more satisfied now than they were when that event occurred? I doubt it. I think that we are all reinforced in our opinions, no matter what they are, of what happened in that event and, unfortunately, I do not think that it will bring truth in this case.

We have all seen the demise of the Historical Enquiries Team (HET), and I can understand the families' frustration about that. Looking at the whole Coroners' Court situation in Northern Ireland and at what is happening in the ombudsman's office, I do not think that anyone in the Chamber believes that any of that will bring satisfaction to the families. It is grinding to a halt under its own pressures. We have a historic situation in Northern Ireland that, unfortunately for all of us, all the victims who sit around the Chamber, we will see no satisfaction from. We need a comprehensive way forward on the whole issue of historical inquiries.

I thought we had come close to achieving something that would bring that about in the HIU and the whole Stormont agreement at Christmas. Unfortunately, that has been delayed. I live in hope as a victim, and I hope that others live in hope as victims, that we will find a way forward in treating and dealing with the past in this Province, but I do not believe for one second that taking any one issue from the past in Northern Ireland and dealing with it separately and uniquely moves that situation forward. We need a comprehensive way of looking at the past. That is hopefully what we are going to get with the HIU. I think where that family needs to look with hope is towards the HIU and how we can move all those situations forward, but not take them as one. Northern Ireland is full of victims, many of whom sit on these Benches.

**Mr Attwood:** I apologise for the fact that, when I finish my remarks, I have to leave to go elsewhere in the Stormont estate to deal with some of the issues that Mr Craig has just touched on. Apologies to the House and anybody else in the Building for the fact that I cannot stay and hear what is a very important and welcome debate.

First of all, as is always the point of reference when it comes to issues of victims and survivors, I acknowledge the victims and survivors, not least the Ballymurphy massacre families, but many other individual families, groups of families and communities. It is because of their resilience and dignity that, even as I speak, people are continuing to interrogate how the issue of the past should be addressed and, hopefully, addressed in a comprehensive and ethical way.

I do not know if I have said it in the Chamber before, but, at the Haass/O'Sullivan talks, in the early hours of New Year's Eve, Richard Haass said to me that it was the impact upon him and on Meghan O'Sullivan of the voices of victims and survivors that moved him from a position, in September, around the first plenary meeting of those



negotiations, where he was not of a full open mind when it came to dealing with the issues of the past, to one where he proposed a variation on Eames/Bradley when it came to dealing with the past. That was because of the voices of victims and survivors and the impact, intellectually and emotionally, that they had on him and her. That is because of the dignity, resilience, courage and dedication of families like the Ballymurphy massacre families in refusing to have anything other than an acknowledgement of truth and accountability, and, hard though it may be to secure, justice as well. I want to first acknowledge the families.

Mr Bell asked a fair question. Why should people support this group of families in the call for an independent review and investigation of the circumstances of the murders of their family members? The answer actually comes from Eames/Bradley, because, without breaking the confidence of Eames/Bradley, there are people in that process who, when they met the families of the Ballymurphy massacre, said that not only was their message and experience compelling but that it was of such a scale that the denial of justice, truth and accountability to the families was of such enormity that, if there was ever to be another public inquiry into an event from the past, that might be one such case. That is not, in any way, to diminish the equal right of any victim or survivor to have justice, truth and accountability in the circumstances that they face. However, consistent with that principle, which is common to all, people in and around Eames/Bradley saw in this issue a need to respond in a discrete way over and above what might be the mechanisms to deal with truth and justice that are being negotiated.

It is very timely that we have the debate today. Not only is the shadow of Ballymurphy over the Chamber, it is over the negotiations that are ongoing not far away from here. The shadow of all the past is across all the negotiations that are ongoing as we speak. If, on the far side of two, three, four or whatever number of days it takes to conclude those negotiations, any party or Government is on the wrong side of the right standards of justice, truth and accountability, it is not only the families in Ballymurphy who will have been let down. Families across Northern Ireland will say that, if we could not do it with Eames/Bradley —

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

**Mr Attwood:** — Haass/O'Sullivan, Stormont House 1 or Stormont House 2, it is an indictment on Governments and politicians that they should, once again, so gravely let down victims and survivors in their search for truth, accountability and justice.

**Mr Nesbitt:** My primary objective is trying to get through my speech without causing offence. I have met members of the Ballymurphy families on a number of occasions, and there can be no doubting the impact that that day had on their lives. For them, the Troubles are not history; they are a living legacy that they endure daily.

I heard Mr Craig talking about closure. For victims, there is no such thing as closure this side of the grave. There is a weight and burden that will be carried daily. The challenge for the House is to take steps that might, to some degree, lighten that load between now and the inevitable.

What we do at the moment through a series of processes is incomplete and imperfect. It is also imbalanced, in that any objective analysis would say that the focus tends

to be more on the state and state agents than on the paramilitary organisations. Victims, of course, have had a huge range of experiences, from the 14 who died on Bloody Sunday, into which there has been not one but two public inquiries and an expenditure of hundreds of millions of pounds, to the many relatives of the over 1,000 dead who still wait for something. Since the HET was wound up, there has been nothing for that huge number of people who, like the Ballymurphy families, seek truth, justice, acknowledgement and information.

We have to accept that getting truth and justice is just one of the needs of victims and survivors. Another need for many is simply an acknowledgement that something happened that should not have happened. Reconciliation must challenge us in the House. Do we have a common definition of what reconciliation means at a time when the range of opinion offered by politicians is stark? One political leader can talk of an event and say that it was unjustified and unjustifiable, while another says that he is proud of what he did during the Troubles, would do it all again and would not take a step back from the activities that we acknowledge as terrorism.

Over the last two years, the main parties have given considerable thought and effort to a better, more balanced way forward in dealing with the past. In proposing the motion, Ms McCorley said that legacy inquests are crying out for reform.

Well, right from the Haass/O'Sullivan talks, the Ulster Unionist Party said, "Yes, you were right about that. Let's get them into the historical investigation unit". Sinn Féin did not support us in that call.

#### 4.00 pm

Jennifer McCann criticised the British Government and the authorities for not divulging information that she says they possess: we can all play that game. Think back to the Saville inquiry and the evidence of Martin McGuinness: asked about others who, like him, were members of the Provisional IRA in Londonderry at the time of Bloody Sunday, he said that he had a code, had taken an oath and would not divulge that information "under any circumstances". Everybody is withholding information, republicans and loyalists equally.

What we are doing really serves nobody's best interests. I hope that we can find a better and fairer way forward over the next number of days elsewhere on this estate. It is with regret, bearing in mind the impact on the Ballymurphy families of what happened in the early 1970s, that it is my position that the Ulster Unionist Party cannot support the motion. For us, it is time to stop the piecemeal approach.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. From the outset, I pay tribute to the Ballymurphy massacre families. They have pursued their quest for truth with incredible stamina and determination. They have been steadfast and relentless in their campaign to have the truth told to the world about the events in Ballymurphy in August 1971, when 11 people lost their lives. It is important to state that, despite their great loss and the disgraceful way that they have been treated by the British state, the families have at all times conducted themselves with great dignity, and their campaign has been characterised by a complete absence of bitterness.

The narrative of the families' campaign is as follows. Over three days — 9, 10 and 11 August 1971 — more than 600 British paratroopers entered Ballymurphy and shot dead, on those three days, eight civilians. Another two were fatally injured and died subsequently of their wounds, and an eleventh person, Pat McCarthy, died of a heart attack after being subjected to a mock execution by the paratroopers. On 9 August, Frank Quinn was shot and killed when he went to assist Father Hugh Mullan, who had been shot in the back while administering the last rites to another injured man. Frank was shot in the back of the head. Noel Phillips was shot and wounded in a field opposite the Henry Taggart military base. On hearing his cries for help, Joan Connolly, a mother of eight, went to his aid. She was shot in the face and lay wounded in the field. When the shooting stopped, Daniel Teggart lay dead, having been shot 14 times.

Joan Connolly cried out for help for many hours and eventually bled to death. An eminent A&E consultant said that had she been brought to hospital she would most likely have survived. British soldiers entered the field where Noel Phillips lay injured and, according to eyewitnesses, shot him twice in the head. Joseph Murphy, who had been wounded, was taken to the Henry Taggart base, where he was brutalised and shot again in the wound that he had received earlier. Joseph Murphy died 13 days later in hospital. On 10 August, Eddie Doherty was shot in the back on the Whiterock Road and died a short time later. On 11 August, John Laverty, who was 20, was shot and killed. Joseph Corr, a father of six, was also shot and died of his injuries 16 days later. John McKerr, a carpenter and father of eight, was carrying out repair work on Corpus Christi Church when he was shot in the head and died outside the church.

People will say that this case is like every other case: the victims are not going to get justice. The difference between this and other cases is that no investigation was carried out. The slaughter took place at the time of the infamous tea and sandwiches agreement between the Chief Constable of the RUC and the commander of British armed forces in the North, whereby the Royal Military Police would investigate any fatal shootings by military personnel. We know that the statements that were taken by the military police contained many contradictions and inaccuracies and were later contradicted by civilian witnesses. At the time, no statements were taken from civilian witnesses. What is also important in this case is that the same regiment, only a matter of months later, was deployed on the streets of Derry on Bloody Sunday. If something had been done after the Ballymurphy massacre, we might never have had Bloody Sunday in Derry and the downward spiral that followed the events of that day.

What are the families asking for? What they are asking for is quite reasonable. The British Government have said there will be no more public inquiries that cost a fortune to the public purse, so the families took up that challenge. They went away with their legal advisers and Professor Phil Scruton from Queen's University and devised a model based on the inquiry into the Hillsborough tragedy that would have a minimal cost and perhaps bring truth to the families. The British Government have rejected that.

**Mr Speaker:** Thank you.

**Mr Sheehan:** I call for the truth to be brought out and brought out now.

**Mr Allister:** It is no part of my purpose or intent to diminish or demean suffering by any family, be they connected with this Ballymurphy matter or anything else. Let me be very clear: anyone who was not involved in criminality and died as a result of a criminal act against them is an innocent victim, as are their families, and they are entitled to be regarded as such.

I suppose that the biggest difficulty with the selectivity of the motion is that many in the community that I know best will say, "Where's the inquiry into La Mon? Where's the inquiry into Kingsmills? Where are the inquiries into a litany of such incidents?". We have already had over £200 million spent on the Bloody Sunday inquiry, and the Ballymurphy incidents are to be investigated through an inquest process. Yet, for many who were the victims of terrorists, there have been no such investigations and no such inquiries.

Of course, what happened in Ballymurphy transpired in an operation just a few days after the notorious Bloody Friday events. Of those, we are yet to hear the truth. We have yet to hear who and from what part of the city masterminded Bloody Friday. We have yet to hear the truth from those who know the truth and, with great calculated determination, conspire to conceal the truth. The demands that come selectively for inquiries such as this would be so much stronger if in all cases — this is not a generalisation at all of the Ballymurphy families — some of those who advocate them were themselves not victim makers and were, instead, truth tellers. Therein is part of the problem. It is the proportionality of the demand that creates difficulty for some of us.

I find it rather surprising that the motion calls on the two Governments, as they are referred to, to jointly fund any investigation. What happened at Ballymurphy, whatever the details, happened in the United Kingdom. If there are matters to be investigated, and if that were thought to be the appropriate course, it is a matter for the United Kingdom authorities, not for some third party to be involved in the funding of any investigation. I quibble over that part of the proposal.

My fundamental message is this: consider the imbalance, disproportionality and lack of investigation into a litany of terrorist episodes as horrendous as any by an organisation that some have recently suggested has its own malevolent influence in government. The sparsity and the lack of investigation on that side of things and the repeated demand for investigation at whatever cost in respect of this matter speaks so loudly to some of us that that proportionality and imbalance is something that we cannot endorse.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. I support the motion. I commend the proposers, and I know that Trevor Lunn will make a winding-up speech on it. Rosie McCorley and Pat Sheehan laid out in very detailed terms the incident that took place in Ballymurphy in August 1971. Our party has pledged its support to the families in their search for the truth. I say with a degree of confidence that, although many doors have been closed to them over many years, most people would say that, because of the quiet and dignified manner in which they have approached it, a door will eventually open and they

will get their request. Apart from the fact that the British state was responsible for killing their loved ones, a big part of their demand in searching for the truth is that they were failed by the state in terms of investigation.

Irrespective of what the incident is, people should make their judgements on the merit of the case put forward by the families, not on side arguments or other flawed arguments. We have seen a combination today. The Bloody Sunday inquiry is often used. I heard Mike Nesbitt saying that there were two inquiries. There were two inquiries because the first one was so flawed that it was unbelievable. Other people talked about the cost. Again, the cost of the inquiry could have been avoided if people had faced up to their responsibilities and told the truth in the first instance.

The Ballymurphy families have realised that perhaps some part of public opinion might think that some of the inquiries are open-ended and therefore cost too much. The fact is that they have put forward the Hillsborough stadium model as the way forward. I think that most people who watched the Hillsborough incident accept that families got to the truth and that it was done in a more time-bound way and that there was less cost as a result.

The second aspect of the proposition is that other cases have not been investigated or have not been investigated properly. If that is the case, Members are entitled, as are these families, to bring the case to public opinion, seek political support and seek redress. That is what should be done. You cannot say to some person, "Yes, you have the merit for a particular course of action, but we can't support it simply because, in other instances, other people haven't made the case". That is not only a poor but a flawed argument.

Importantly — Pat Sheehan referred to this — one of the things that came out during the Saville inquiry was the arrangement between the British military police and the RUC around investigations, which was that the military police were charged with conducting investigations into all killings carried out by the British Army at that time. Subsequently, a very senior figure within the judiciary here in the North of Ireland said that he found that questionable and dubious. Indeed, he went on to say that he could find no legal basis for that arrangement. That instance alone, and the breaching of article 2, showed beyond any shadow of a doubt that the investigations were improper. So, on that ground alone, the Ballymurphy families deserve an inquiry. It is only through that that we will see that there was not only a poor or improper investigation and an arrangement between the British Army and the British military police, but —

#### 4.15 pm

**Mr Dallat:** I thank the Member for giving way. Does the Member agree that while this dark cloud hangs over Northern Ireland, we are limited in the progress that we can make in the peace process, which we are all involved in, and in the extent to which we are one community speaking with one voice and putting the past behind it?

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

**Mr McCartney:** Absolutely. Members have referred to the processes that are in place, and people are trying to conclude on that this week. There is absolutely no doubt that those families who are seeking the truth will not be put

off or deterred. In my opinion, they should be supported. Certainly, we have the responsibility to ensure that all matters relating to the truth are ventilated and that people are given proper recourse. The Ballymurphy families are an excellent example. From the outset, they have asked for nothing more and, certainly, they deserve nothing less, than the truth. People have tried to say, "This is going to be Saville mark II", and I have heard people say that Saville did not achieve anything. It is wrong to say that. A British Prime Minister had to stand up and say that what happened was unjustified and unjustifiable, so at least one person changed their mind.

The families deserve support. It is crucial to note that there are many unanswered questions on the nature of the investigation, the subsequent closing of doors and the holding back of evidence at the inquest. Members have outlined their opinion on the motion, as it is framed. They have all said that there was something grievously wrong, that some great hurt was visited upon these families and that they deserve the truth. Members should support the motion. Go raibh míle maith agat, a Cheann Comhairle.

**Mr Lunn:** I thank everybody who has contributed today, including those who, evidently, will not agree with me, because we needed to hear from all sides in a debate like this. As others have done, I acknowledge the families, some of whom are with us today, for their dignity and persistence in the matter.

I do not see this as an occasion to vilify the army. It is tempting, and others have succumbed to the temptation. I want to talk about the call for a specific form of inquiry to deal with a particular circumstance involving state forces. It has a lot of merit. That sort of inquiry would be a review of the available evidence. There is a lot of it, and it comes from all sides. It needs a team with the forensic skills of Phil Scruton and his team, which were demonstrated through the Hillsborough inquiry, to run some of it to earth and to try to establish the facts. Some of the facts are not contested. The evidence comes largely from such official sources as witness statements, soldier statements, autopsy reports and hospital reports. It is all there; it is available for any of you to look at.

On the dates in question, there was certainly a riotous situation in Ballymurphy and in areas across west and north Belfast and other parts of the country. It was the day following the night on which internment was brought in, and feelings were running high in those areas. There was certainly gunfire from different sources — republican and loyalist — in the area, and the army was trying to control a very difficult situation as best it could. The real question is this: were any of the 11 people who were killed on the day or died of their wounds a few days later a threat to the army? That is the question.

There was gunfire directed at the army, but there does not appear, on the face of it, to be any evidence that it came from any of the people who were shot.

You could look at some of the individual situations. I think that the first person to be shot was a gentleman called Bobby Clarke. He is still alive. He has made a statement and can make a further statement. He was the man whom Father Hugh Mullan went to comfort, anoint or give the last rites in the Catholic tradition. The evidence appears to be that Father Mullan was waving some sort of white cloth. He attended to Bobby Clarke. He went to get some

further help, at which point he was shot. This is evidence taken from autopsy reports. He appears to have fallen to a kneeling position, at which point he was shot again and killed.

A gentleman called Frank Quinn tried to go to his aid, as others said. Mr Sheehan mentioned all the names, as did Ms McCorley. He was shot dead. All this happened — it is not contested — on open ground. If people were shooting at the army, they certainly were not shooting at them from an area of waste ground where they would have been completely exposed. It just does not sound right. No firearms were recovered from any of these people. There is no evidence of firearm residue on any of them. It is not me saying that or some republican source; it is the autopsy reports. That is the official version. Joan Connolly, a married woman of about 45, was shot at the same time. She was shot three times. She was shot, and, as she tried to recover and get back to her home or get help, she was shot again. This is not contested. Danny Teggart, whose son John is with us today, was also shot on open ground. He was shot 13 times. The army operated under rules of engagement. Even then, they had to fire only at identified targets who were a threat to them personally; in other words, a petrol bomber or somebody with a gun. Yet all those people were shot over three days.

Members mentioned others. The case of Joseph Murphy is interesting. The allegation has been around for a long time that he was not only shot and wounded but abused back in the army barracks and that perhaps another bullet was put into him. I do not have the evidence for that, but there is evidence because his body has just been exhumed and there is, in fact, another bullet lodged in it. Maybe that is correct as well. John McKerr was mentioned as well. He was a carpenter. He was doing some work to the Corpus Christi chapel in preparation for a funeral. He finished it and was walking away from the chapel when he was shot dead. He was shot in the head. This is not contested. It is in the records.

All this happened 44 years ago. It happened in the same month as I was married, two weeks later. The bereaved relatives have had to carry the weight of this grief for 44 years. While people like me and others of my generation have grown through the period and raised families and grandchildren, these people have had to live with the weight of this grief. We now have an opportunity to agree to try to get the British Government to agree to a particular sort of inquiry that is very cost-effective, as has been proved by the Hillsborough inquiry. It works, it is effective, and it does not have to interfere with the coronial process. In fact, the Hillsborough inquiry fed the coronial process. It was used as very useful evidence.

There are no, evidently anyway, national security issues here; there are no handlers or informers to protect. The MoD, as part of the coronial process, so far as it has gone, has said that it is having difficulty in tracing particular soldiers — any soldiers — who might have been on the ground on that day. I find it, frankly, absurd that ex-soldiers cannot be traced. They have not gone to ground; they are not hiding. They are receiving pensions from the Government, and the MoD says that it cannot trace them. That is ridiculous.

The range of available evidence is very wide. There is the MoD, the RUC and the HET inquiry, which went nowhere. The Catholic Church has a major dossier on all of this.

There are civilian witness statements, hospital records, autopsy records and the national archives in Kew and Dublin. I could go on, but I will make my main point before I finish.

It may surprise some people that I am standing here making this plea. I am sure that I am the only one wearing a poppy who is making this plea, but there is a reason for that: I want to be proud of our army. I wear this poppy with pride, and I wear it to commemorate and acknowledge the sacrifice that the army has made over the years in theatres of war. This was not a theatre of war. If the army has misbehaved in these circumstances, it needs to be able to acknowledge it. It happened on Bloody Sunday, which, Mr Sheehan rightly said, need never have happened, had this been properly investigated. I want to continue to regard the army with pride, and it needs to cooperate if such an inquiry can be put together. The British Government, if needs be — I think they do — need to be able to man up and acknowledge that something went dreadfully wrong on this occasion.

I ask the House to support the motion. I ask the DUP and the Ulster Unionists, perhaps, not to oppose it. There is no loss of face in this; you have to acknowledge that something is wrong here. I will leave it at that, Mr Speaker.

*Question put.*

*The Assembly divided:*

*Ayes 44; Noes 48.*

## AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Ms McCorley and Mr Sheehan.*

## NOES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

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

*Question accordingly negatived.*

*Adjourned at 4.38 pm.*



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# Northern Ireland Assembly

Tuesday 10 November 2015

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

*Members observed two minutes' silence.*

## Speaker's Business

**Mr Speaker:** Before commencing business today, I want to bring a matter to the House's attention. Members will be aware that the Assembly and Executive Review Committee is gathering evidence for its inquiry into the Assembly and Executive Reform Bill. I will be submitting evidence on a range of matters in relation to the House's procedure, and I will put that evidence in the Library so that it is public for the information of all Members. However, the Bill also contains proposals in relation to the future election of the Speaker, so it is important for me to be clear that I have no self-interest in these proposals. I know that it is no secret to many Members, but I want to publicly put it on the record today that I will be stepping down as a Member of the Assembly at the end of this mandate. I will not, therefore, be seeking re-election as Speaker.

I turned 70 during the Hallowe'en recess, and I look forward to the opportunity of doing other things outside the Assembly. However, there will be plenty of time to be reflective at a later point, and I am making this announcement at this stage only to show proper courtesy to the House.

There is a lot of work in front of all of us in the next few months. There are a lot of issues that I still want to try to make progress on with not much time to do so. However, I am particularly focused on managing the heavy legislative workload that I am expecting to confront us in the months ahead. That will be challenging, and I will speak to the Business Committee about it today. So, let us move on.

## Executive Committee Business

### Shared Education Bill: Second Stage

**Mr O'Dowd (The Minister of Education):** I beg to move

*That the Second Stage of the Shared Education Bill [NIA 66/11-16] be agreed.*

Go raibh maith agat, a Cheann Comhairle. I know that you have said that there will be future opportunity to reflect on your announcement this morning, but I wish you belated birthday greetings and wish you well in your retirement.

The case for shared education has been well established. There is an extensive body of international research regarding the effectiveness of school collaboration generally and in divided societies more particularly. That has been supplemented by specific local evidence, particularly a series of evaluations of pilot projects, which were supported by investment from the International Fund for Ireland.

Shared education provides the opportunity to raise educational standards and encourage and facilitate a culture of mutual understanding through ongoing and purposeful engagement in learning between children and young people from different community backgrounds. The access for learners to a wider choice of subjects, increasing access to specialist teaching and modern facilities and sharing of good practice, makes a compelling educational case. The statutory curriculum provides a core enabling framework to promote shared education through the development of the young person as an individual, as a contributor to society and as a contributor to the economy and environment.

Local evidence has shown that participation in shared education leads to an increase in self-confidence, self-awareness and self-reflection. Participants in high-quality shared education opportunities are more open to meeting others with differing perspectives and opinions and showed improved skills in problem-solving, decision-making and critical and creative thinking. All those skills are integral to the high-quality delivery of our curriculum. Equally, the opportunity afforded by shared education to make more effective and efficient use of facilities and resources provides a strong economic argument. My Bill seeks to realise those potential benefits offered through the collaborative, cross-community approach that shared education will provide.

In its report on shared and integrated education, which was published in July, the Education Committee accepted the need for a statutory definition for shared education.



In the subsequent debate on the report in September, the Assembly endorsed its recommendations. My Bill will put that into effect.

I will turn to the Bill itself. This is a short Bill that provides a legislative definition of shared education and places a power on the Department and its arm's-length bodies to encourage and facilitate shared education. The Bill will also enact the duty on the Education Authority to encourage, facilitate and promote shared education, as provided in the Education Act 2014. In its report on shared and integrated education, the Committee recommended that the statutory obligation to encourage, facilitate and promote shared education, as set out in the Education Act, should be extended to my Department and all its relevant arm's-length bodies. The Education Reform Order 1989 places a duty on my Department to encourage and facilitate the development of integrated education. It is my considered view that it would not be helpful to now place a duty on my Department that would include a requirement to additionally "promote" shared education without any similar requirement to promote integrated education or, indeed, Irish-medium education. I am also firmly of the view that a power rather than a duty is the best approach at this juncture.

Shared education is still a relatively new and evolving area, and good practice is still being developed. We need to accrue good practice learning before placing a legal obligation on our education system that entails mandatory action. A power gives the flexibility to encourage and build confidence within the education system and the wider community around the benefits of shared education and to remove doubts about perceived risks voiced by some who responded to my Department's consultation. It also avoids any risk of communities perceiving that shared education is being imposed on them rather than encouraging and facilitating communities to move at a pace that they find acceptable.

The Bill will be underpinned by Sharing Works, my policy for shared education, which was published on 16 September. Sharing Works expands on the legislative definition by providing a practical description of how shared education will work in practice. The description is based on that which was endorsed by the ministerial advisory group on advancing shared education, the establishment of which was a Programme for Government commitment. The policy contains a series of actions that my Department will take forward by way of encouraging and facilitating shared education. The actions are based on the recommendations of the ministerial advisory group.

The Bill will send a strong signal to the education sector and the wider community that shared education is now a key feature of our education system moving forward. The Bill and the policy have been subject to equality screening and public consultation. Both have been generally welcomed by stakeholders and provide an opportunity to build a more inclusive approach at a pace that communities are comfortable with and that does not threaten any particular sector. In conclusion, I recommend the Bill to Members and will carefully consider today's debate in moving my Bill forward.

**Mr Weir (The Chairperson of the Committee for Education):** Thank you, Mr Speaker. I wish you well in your retirement. As part of the somewhat ageing class of '98, I think that you are one of the few Members in the

Chamber who has reached the age of 70. I hope that I look as well when I am 70. I hope to actually reach the age of 70, but that is another bridge to be crossed.

The Committee has considered the Bill in considerable depth. It undertook, and recently reported on, an inquiry into shared and integrated education. A key recommendation of that report was that there should be a statutory obligation on the Department and its arm's-length bodies to encourage the participation of all schools in shared education, and I welcome the Bill in going some way to meeting that recommendation. I anticipate that Committee members will generally give a broad welcome to the Bill in principle and will want to take it through the Committee Stage in order to examine the need for amendments.

As the Minister indicated, the Bill is relatively short, so I expect that some of the examination will be to ensure that the detail is got right and to look at areas where there may be a concern that the Bill does not go far enough or perhaps leaves something out. However, those will be matters for Consideration Stage.

As the Minister said in his opening remarks, the Bill is the legislative underpinning for the Department's Sharing Works policy. That policy defines shared education as cross-sectoral, inclusive cooperation between educational providers, delivering educational benefits and promoting good relations. The definition of that policy goes a considerable way towards the Committee's recommendation on the definition of shared education. As the Bill is focused in that regard, it is not surprising that it provides less definition on the policy than the policy itself. That is to be expected.

However, the Bill does not make explicit reference to educational improvement, it does not emphasise the importance of shared education being based on curriculum-based activities, and it seems to restrict inclusion to Protestants and Catholics and to socio-economic deprivation. The Minister outlined his reasons for suggesting that: namely that the Bill gives the Department and others a power — not a duty — to encourage and facilitate shared education. I suspect that those are issues that the Committee will want to tease out at Consideration Stage.

I would like to deal with some of those issues. First, educational improvement. The Committee previously indicated that it strongly believed that the unique selling point of shared education was its focus on improving the educational attainment of participants. That was evidenced in programmes operated by the Centre for Shared Education and others. It was clearly critical to winning the trust and securing the participation of those who are a little wary of engagement with neighbouring communities or are a little suspicious of the motives of the Department of Education. I am sure that the Minister would say that those are ill-founded suspicions. Nevertheless, they appear. Therefore, the absence in the Bill of a direct reference to educational improvement is a little disconcerting.

Also absent is a linkage to supporting the curriculum. Witnesses to the inquiry felt that that lack of clarity allowed all sorts of activities to be questionably labelled as shared education. The witnesses argued that that served to debase the term and allowed detractors to dismiss it as a light touch and as supporting the status quo.

During our consideration of the Special Educational Needs and Disability (SEND) Bill, Members talked about the inclusion of a purposes clause in that Bill. A discussion on whether we need a purposes clause for shared education may resurface during Committee Stage. Such a change might provide a level of definition and certainty, without limiting schools' imagination in respect of shared education programmes.

I talked about what shared education is; it is just as important to know and talk about who is going to be doing shared education. The Bill mentions reasonable numbers of Protestant and Catholic children. When we had a pre-briefing on that by the Department, the purpose of that was to allow a level of flexibility. I suppose where we are always trying to strike a balance in these things is on the issue between flexibility and providing schools with a level of certainty. I suppose it will be interesting to obtain the views of the Minister on that. For example, if we are talking about reasonable numbers, how will that be interpreted, and can that mean, for example, that it can be provided for in sharing between schools in a single sector?

The Committee, during its inquiry, also felt that the relevant section 75 groups should be covered by shared education and that it should promote attitudinal improvement and meaningful contact between them. Again, we will want to see whether this will be covered directly by the Bill.

#### 10.45 am

As I indicated, the Bill gives the Department and some arm's-length bodies — and I think that it is important that it does not focus purely on the Department but covers arm's-length bodies — powers and not duties. The Minister has explained why he believes that that should be the case, but we, as a Committee, wonder whether this sits a little inconsistently with the obligations on the Education Authority as set out in the Education Act 2014. Again, members may well want to look at that during the anticipated Committee Stage.

The Bill does not refer to measures of educational improvement associated with the shared education signature project. I suspect that this will be mentioned in today's debate. With your indulgence, Mr Speaker, I simply remind the House that the Education Committee supports the measurement and reporting of educational improvements associated with all shared education programmes. However, the Committee has repeatedly advised the Department:

*“that given: the concerns previously expressed by the General Teaching Council NI in respect of the efficacy of LoPs; the very low levels of participation; and the ongoing related industrial action, it was both surprising and unwise for the Department”*

to make Levels of Progression part of the funding criteria for participation in the shared education signature programme. I know from correspondence with the Minister, at the levels of MLA and Committee member, that he is trying to resolve this and, indeed, is in discussions with the various teaching bodies and unions. However, we, as a Committee, are keen that some of the problems that have arisen there are not repeated when we pass this Bill.

In concluding my remarks as Chair in anticipation of the Committee Stage, I would like to take this opportunity to

thank the Department and our stakeholders. We have issued a call for evidence, so I suspect that the latter are busy drafting their responses and will submit those within a relatively short time frame. Given that we are close to the end of the mandate and that the Committee has dealt with this in a full report, I expect the Committee Stage to be short and rather intense. I appeal then to officials and stakeholders to be flexible as we consider this important legislation. It is the Committee's intention to do its job well and quickly. We see no desire to hold up the Bill, and we ask for everyone's cooperation in this task.

I will now make some remarks not as Chair of the Committee but as a DUP MLA. I give a broad welcome to the legislation. I have highlighted some areas where I would like to see some level of change. The legislation, by its nature, is not going to be perfect. To be fair, that is not necessarily a criticism of the legislation, because we have to recognise two things. First, legislation in and of itself will not do everything as regards shared education. A lot of work will have to happen on the ground that is not appropriate for legislation. Really, what we are looking for in legislation is a broad framework that aids what is happening. Secondly, it is also important to realise that there are many good shared education projects already happening. We are not starting simply with a blank page. We are looking to see a broadening and deepening of shared education. As such, we need to provide a framework for it and a facilitation of it; that would be helpful.

A number of benefits can accrue from shared education. The Minister has highlighted some of them, and I suspect that others will make reference to them in their speeches. There is a broader societal benefit. There is the commonly understood area of community relations of various sections of society working together, which I think that everyone would acknowledge is a benefit. There is also something else, and I think that it is important and right that the Bill makes direct reference to it. We often think of the community relations side of it as being purely between the two main sections of the community, but the emphasis in the Bill on socio-economic interaction is also very helpful.

I think that that will be of benefit to society as well. Also, and I concur with the Minister in this, it is not just about the broader, wider, societal benefits but the benefits to individual pupils who are involved in shared education. The widening of their experiences and the broadening of their confidence is something that will be helpful.

Secondly, I think that there is a broad educational benefit. That will come down to where we see the particular definitions in this. Undoubtedly, this should be a driver. While the focus will largely be on the societal benefits, I believe that cooperation between schools can be of benefit educationally and can help, for instance, pupils in one area to be linked in with another, and they can learn from each other's experiences. That should be an educational driver. It is right also that the legislation goes beyond schools and looks, for instance, at youth settings and indeed has the full panoply across that.

Also, it has been highlighted that — particularly when it comes to issues around IT and, perhaps, in the future, issues around personnel as well — in tight economic times, when we are trying to get the best possible value for everybody involved in the education system, sharing can lead to a higher level of efficiency in the system. We see sometimes, particularly with small schools, a movement

at times to a situation of joint management of schools and sharing between principals of schools, which can be helpful as well. Whereas it is important that schools play a vital role in communities, that should not simply be used as a device to protect the existence of a school when that school is really unsustainable, but I think that there are efficiencies in the system that could be driven by shared education, and there are benefits to be had there.

The Bill itself is widely drawn in terms of what is meant by shared education. Mention has already been made of the socio-economic impact, and it is right that there should be flexibility, because there is a wide range of activities out there in shared education, which we should encourage. I welcome the fact that the focus is very much on the provider and the sectors, whether through the Department, the arm's-length bodies and the youth settings. I believe that that format looks to the main providers but gives space for schools to develop at their own pace and in their own way. There are models of shared education that will be of benefit. Here, we need to see a degree of balance. There is also a need to ensure that schools can move forward with clear understanding as well.

The representatives of the Department indicated to the Committee that they would judge things on a case-by-case basis, and, yes, there is a need for a level of flexibility. However, as I indicated when speaking as Chair, I expect that there will be suspicions within the sector. We do not want to see a situation where anyone at the Department of Education — given the timescale for this, it will probably not apply to the current Minister but to his successor or his officials — sees himself as playing the role of mighty Caesar in the gladiatorial arena, giving a thumbs up or thumbs down, at whim, to particular projects. Schools need a level of certainty.

Linked to that is the issue of educational benefits. It is important that we put at the heart of this an educational driver. If assessment is to be used as part of the process of measuring that, we must have widely and clearly agreed means of assessment that have the confidence of the wider sector. The experience that we had with the shared education signature projects is one that we want to avoid. I suspect that it will be highlighted in this debate that we have reached a situation where a differential approach is taken in different areas of Northern Ireland. Because of the advice they have had, some schools feel confident simply to plough ahead; others are, at the moment, without funding, because they are caught as schools in a degree of dispute between the teaching unions, on the one side, and the Department, on the other.

That is a situation we want to avoid. Moving ahead, this should be focused on clearly agreed methods of assessment.

It is also important that we take a curriculum-orientated — indeed, a whole-school — approach to shared education. Flexibility is important. It comes back to balance. Shared education and cooperation between schools will operate in slightly different ways. From the point of view of the DUP — I suspect that the Committee will take a similar view — we do not want that to be tokenistic in its nature. It is not simply a question of two schools ticking a box to receive a level of funding, but that it is very much curriculum-orientated. In doing that, as I said, we have to encompass the full range of possibilities.

There are a range of issues for us to look at, and I will come on to a final one in a moment, but it would be churlish of me not to admit that this Bill is a step in the right direction. It is good legislation. The role of the Committee will be to take what is good and debate the ways in which it can be further improved.

In conclusion, and I appreciate the position that the Minister has taken, I share the view expressed in the Committee report that we need to look at an obligation, particularly on the higher-level bodies, rather than simply a power. I think that the wording is a little bit weak in that regard, and that is something that we as a Committee will need to look at. I look forward to the Consideration Stage. I believe that this can improve our education system, improve the opportunities for all our children and improve Northern Ireland, but let us make sure that we get the best possible Bill. That will be the key challenge for the Committee in the few weeks ahead.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I start by paying tribute to you following your announcement this morning. Your leadership and vision in this place, both as an MLA and as Speaker, will be badly missed. I had the pleasure to serve with you when you were Assembly private secretary (APS) to the Minister of Education, and it was a thoroughly enjoyable role, but unfortunately I was not left on the Education Committee long enough to cause the Minister too many problems. That is the role of a Back-Bench MLA.

I welcome the opportunity to take part in the Second Stage debate on the Shared Education Bill. I start by acknowledging the very many solid examples of sharing and cooperation by many schools across many different sectors. It is only right that I commend the leadership of MLAs from all parties in this Chamber who, in their role as community leaders, have grasped the issue of shared education and promoted it, but also the small number of MLAs who, as parents of children participating in the shared education programme, have really taken the bull by the horns and engaged with their school communities, their peers and other parents to sell the benefits of the programme. It is good to see parents and MLAs from all sides doing that.

During the Committee inquiry into shared education, members of the Committee felt strongly that societal objectives were important and should extend beyond reconciliation of the two largest groups in our society in order to fully incorporate all section 75 groups. The Committee also felt that the statutory objective to encourage, facilitate and promote shared education should be extended to the Department and arm's-length bodies, and with that in mind I welcome the proposals contained in the Shared Education Bill.

The clear intent of the Bill is to provide a legislative definition of shared education, which is missing from legislation at the minute. There is a lot of talk about shared education, but there is not really any great understanding of what it means. A legislative definition of shared education will be very welcome.

The Bill will confer a power on the Department and its arm's-length bodies to both encourage and facilitate shared education, and it sets in train when the legislation will kick in. The legislation and policy is underpinned by the whole notion of Sharing Works, which is a policy for

shared education. The four clauses of the Bill are quite self-explanatory, and anyone who is interested in reading them can, or probably already has.

One of the recommendations from the Committee inquiry that I would like to give some consideration to deals with the whole issue of measurement. Recommendation 6 of the inquiry stated that:

*“the Department should give consideration to a wide range of agreed, objective impact measures ... based on educational improvement ... and societal reconciliation progress ... should be published regularly by the Department.”*

I am keen to hear from the Minister, either today or at a later stage, as to how that will be advanced.

#### 11.00 am

As Members know, the county of Fermanagh has played a leading role in the development of the shared education programme and in rolling it out across the county so that people from Fermanagh, from all sections of our community, have had the chance to engage. My daughter, who is in P2, participates in the shared education programme in St Mary's Primary School in Tempo with Tempo Primary School, which is a controlled school. She thoroughly enjoys it, primarily because she went to a cross-community preschool — the only one in the village. She made a number of friends there who were not from a Catholic background and who now attend the controlled primary school. When she went into P1 and the shared education programme was brought to the school for the first afternoon, I saw such joy in that child's face when I came home. She was able to tell me that she had met her young friends whom she had not seen since preschool.

It is good that the programme is in place to allow children to make new friendships with people from a different background and also to keep existing friendships going. All too often, we hear stories of people from different generations who really did not engage or make friends with people from another background. I am talking about people from a Catholic tradition, a Protestant tradition and neither, who do not get to engage with people from another community until much later in life, whether in the workplace or at university. The shared education programme, and the concept of providing our children with the opportunity to engage in shared education, is a good opportunity to give them.

I commend the leadership shown by the Fermanagh Trust, which is one of the key organisations behind the shared education programme, and its trustees and staff, as well as the school communities in Fermanagh and across the North that have embraced this concept. The principals, staff and boards of governors of those schools have shown tremendous leadership for their communities in articulating what the benefits of shared education could mean for our society. This is much bigger than any individual child, family or school community; this is about trying to build a better future for all our young people. The leadership shown by the organisations involved in developing and rolling out shared education, as well as by the parents and school communities that have embraced it, has given us all an insight into how popular this area is and how much demand exists, so it is only right and proper that we see legislation being brought forward to enhance it further.

It is also important to reflect on the success of the shared education programme in Fermanagh, in the sense that it is not just cross-community but cross-border. A number of the maintained schools along the border corridor regularly engage and share with minority Protestant schools on the other side of the border. Protestant schools from the South come up to engage with children from a Catholic background in the North, which is tremendous, because not only do we have a problem in the North with children from both backgrounds not engaging with each other but we have a serious problem with neighbours from Fermanagh and Leitrim or Fermanagh and Donegal not engaging. The shared education programme in Fermanagh has also helped to break down those barriers.

In engaging with parents, teachers and school leaders across Fermanagh, it is easy to see the empirical evidence of the benefits of shared education in how it helps our children to develop, to broaden their minds and to know that their identity is not the only one. There is no one identity here that is more right or more justified than the other. All of us come from different backgrounds and mentalities, and it is important that we allow young people, at an early age, to establish that there are other people out there who hold different views. That is one of the key benefits of the shared education programme, and it also helps to break down community relations and tensions between communities.

We do not have peace walls in Fermanagh. We do not live cheek by jowl with people from the other community. In Fermanagh, by and large, there are whole villages made up of more than 95% of one or other section of the community. Take the village of Kesh, which is predominantly Protestant or unionist, and then take a village such as Rosslea, which is, on the other hand, more than 95% nationalist.

We do not have the same situation as in Belfast, where they have peace walls between our two communities. We have completely divided our society, and people live in different places. That is the way it is done. There is not necessarily anything wrong with it, but in how we break down the barriers and get our people to engage with it, it is widely accepted that we need to start at an early age and get people mixing from other backgrounds at as early an age as possible. That is why the shared education programme has been hugely successful.

I think we would all agree that, if we were starting with a blank canvas, we would not put in place the systems and mechanisms that we have for providing education today, but this is a step in the right direction. It is good to see the Assembly coming together to give statutory bodies the legislative power to facilitate and encourage shared education, but it is not about competing, and it is not contrary to the views of those who articulate a vision for integrated education. Not all of our citizens are at a place where they want to see integrated education yet. Many people in our society do, and several opinion polls indicate the support that exists for it, but there are some within our society who are not there yet. The provision of an option of shared education to those people will highlight the benefits that moving to such a system can bring. It is complementary to the whole notion of integrated education, which grows year on year, but the concept of shared education is growing as well, and it is something that we should encourage.



I will express some concern about what I see as the entrenched positions of the former education and library boards and CCMS. The Minister announced his plans to carry out the area planning process in September 2012 or 2013 — I cannot remember which year it was. It is clear to see, when you look through the reports that were generated, that there was not enough joint planning done. CCMS went and did its plan and the education and library board did its plan, but there was no effort made to join those two things together, despite the fact that, in many communities, there was a strong desire for joint planning to take place to provide the best possible education for our young people in a joint approach. The statutory bodies were somewhat behind.

I recognise that we are conferring a power to encourage and facilitate shared education on the Education Authority, the Department, the library boards and a couple of other organisations, but I just wonder whether that mindset remains within the higher echelons of those organisations, and how we as an Assembly and a society can challenge those mindsets and try to get the people who are in leadership positions in those organisations to take the views of people in society and actually move ahead with joint area planning, as was requested or mandated of them by the Minister of Education.

In conclusion, it is clear to see that our young people benefit educationally, personally and intellectually from engaging with people from another community or another background. There is an onus on us as an Assembly to do all that we can to facilitate, encourage and promote that. I think the Bill is an excellent first step. I hope that it passes. I am sure it will; it seems to have cross-party support and is something that all MLAs have spoken positively about in the past. I wish members of the Committee well as they strive to carry out the Committee Stage that will follow. I will keep a close eye on the Bill.

**Mr Rogers:** I welcome the opportunity to contribute to the debate on the Second Stage of the Bill. The SDLP is broadly supportive of the Bill. Our schools need to move more and more towards models of sharing — sharing expertise, resources, facilities and educational experiences.

It is clear for the SDLP that principles of shared education must be firmly embedded in the curriculum. It is about more than schools coming together for an annual sports tournament or a walk up the Mourne. Shared education must be deep, meaningful and sustained. Clause 2 of the Bill is particularly important in that regard. Shared education can be delivered in many forms. It can range from large-scale projects at Lisanelly to the sharing of particular resources within specific classes. It remains the case that it would not be feasible to establish projects like Lisanelly all across the North. It takes a substantial amount of money and a high threshold of local agreement. We must be realistic if we want shared education to work. We must work within our constraints. There are constraints such as rural isolation, and there are financial constraints as well.

There are many smarter ways that we can achieve meaningful sharing in classrooms. The sharing of IT infrastructure already exists within schools in Northern Ireland. I am somewhat disappointed that the Department has not really taken on board the definition of shared education that the Committee agreed, which was:

*“curriculum-based interactions that always foreground educational improvement and involve children and young people in sustained whole school/organisation activities across ... educational phases while making optimal use of ... IT infrastructure.”*

From the Department's response at the Committee last week, it is clear that it has ICT as an optional tool for schools to use. Given the huge investment by the Department in C2k and projects that have used ICT for inter-school links like, for example, Dissolving Boundaries, which proved how effective blended contact is, using ICT as an option is wasteful of shared public resources and is likely to mean that schools in rural areas will have difficulties in finding partners that they can work effectively with. Schools should be required to show how they plan to use ICT, not whether they intend to use it. That is important for schools that are close geographically as well as those that are far further apart.

I think of the Dissolving Boundaries project and go back to my background; it is probably nearly 20 years since we were involved in that project. I remember sitting in a history lesson — it was very appropriate for the time of year — in which children from a school in Kilkeel were working with children in Taunton in Somerset on a World War I project, and the children in Taunton talked about their grandparents in the trenches. That shows how ICT can bring the sharing of education alive — not just even on a Northern Ireland basis but across our island and across Europe.

The Department has referred to supporting shared education in initial teacher education. It is not clear who will provide the funding for that or how that process will be managed. Maybe that can be addressed.

We talk about ICT as an essential tool in shared education. The assessment of ICT will become statutory in 2016-17. That will include the use of ICT for exchange — using ICT to exchange ideas and information with others, such as partner schools. As a former teacher, and knowing how teachers work, I feel that we have a better chance of these projects coming together and working well in the classroom when shared education can work along with the requirements of ICT assessment and when teachers become more motivated by it and tuned into it.

Children will benefit when they learn the same subject together, not in different rooms of the same building. In that way, shared education that is embedded in the curriculum can be delivered without creating super-school structures. Furthermore, I welcome the Shared Education Bill as I hope that it will help the Department to become strategic in relation to the delivery of shared education. A number of schools that have engaged in real sharing of resources have had funding cut as a result of an apparent link to the Key Stage assessment. That is entirely counterproductive and will make the transition to shared education much more difficult.

Clause 3 of the Bill puts a statutory obligation on the Education Authority to promote education. That should benefit the strategic delivery of shared education. I suppose that when we talk about shared education, we have to think about the mutual benefits of shared education. First and foremost, it is about addressing educational underachievement and ensuring that children achieve their potential. It is about children benefiting from



learning together and embracing religious and cultural diversity. In turn, society will benefit from that.

It would be remiss of me if I did not acknowledge the great work that goes on in shared education at the moment. I think of the integrated sector and Shimna Integrated College in my constituency — the work that goes on in that school, and also the outreach work that it does with primary schools.

#### 11.15 am

Other schools, such as my old school St Louis working with Kilkeel High and schools that have a really good mix across their school population, schools such as St Columbanus in Bangor, Down High and Strabane Academy. I could go on and on.

We had a presentation from Cross and Passion and from Ballycastle in County Antrim. The one that I have been associated with for a long time is Limavady learning partnership. However, thinking of those two in particular, part of their success has been in the culture in the schools and their geographical proximity, which helps as well.

When I talk about sharing, I think about taking it that bit further to staff sharing their expertise and professional development. We can use ICT as a great tool again there. If you are to do professional development and you teach in Kilkeel or Belcoo, it is a long trip to Belfast for that professional development, so we can use ICT and so on to deliver these things online. Beyond that, we must share business and schools to ensure that our schools are tuned in to what the business world requires and understands what our schools are like.

However, it remains the case that the vast majority of children in the primary and post-primary sectors attend single-denomination schools. So we need to broaden the debate not just to sharing between Protestant and Catholic but to all section 75 groups. The SDLP envisages that sharing education will lead to more diverse opportunities for our schools, children, teachers and for senior leadership in our schools. Shared education is a priority for society here. That can be delivered only by promoting a culture of mutual understanding of society here through a purposeful shared curriculum in Northern Ireland.

There are many opportunities in shared education that I have only touched on. The Bill offers a first step.

**Mrs Overend:** We have before us the much-anticipated, long-awaited Shared Education Bill. Comprising four clauses that fit onto an A4 piece of paper, the Bill is nothing if not concise. It is not, however, visionary. It is minimalist legislation that certainly does not set out a road map for a Utopian shared future in education.

It should perhaps not come as a surprise that the Shared Education Bill is short. Last December, when the Committee was holding its inquiry into shared and integrated education, we had an interesting evidence session with the centre for shared education at Queen's University. The centre argued that the lack of coordinated policy or clear definition of shared education has created a policy vacuum that allows it to be labelled as "light touch" and supportive of the status quo. It was noted that this also affects the depth of meaningful activity and limits the potential of shared education to effect lasting systemic change.

The centre called for legislation that will provide a consensus on the definition of shared education. So, almost a year down the track, the question is this: does the definition of shared education in the Bill and the policy that underpins it provide us with a working and workable definition that commands widespread support?

I know that the definition is also a concern for other Education Committee members, as the issue was raised by many of them during our recent briefing on the Bill. At Second Stage, it is worth looking at the evolution of the definition of shared education. I hope that Members will bear with me, but I feel that it is important to look at the various definitions. The Bain report of December 2006 described shared education as a cross-sectoral approach to education, where:

*"children grow up to feel comfortable in their own uniqueness and comfortable with difference. For that to happen, they need to be able to work together and 'play' together so that eventually, they can assume a shared responsibility for their future."*

The definition of shared education used by Queen's University's centre for shared education is:

*"Shared education is broadly defined as any collaborative activity within or between schools or other educational institutions that can: contribute towards school improvement, provide access to opportunity, encourage more effective use of resources, and promote social cohesion"*

The definition that the ministerial advisory group was asked to use in 2012 involved the organisation and delivery of education so that it:

*"Meets the needs of, and provides for the education together of, learners from all Section 75 categories and socio-economic status; involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangements; and Delivers educational benefits to learners, promotes the efficient and effective use of resources, and promotes equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion."*

The Sharing Works policy was published on 1 December this year. It states:

*"Shared Education is described as the organisation and delivery of education so that it: meets the needs of, and provides for the education together of learners from all Section 75 categories and socio-economic status; involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangements; and delivers educational benefits to learners, promotes the efficient and effective use of resources, and promotes inclusion in terms of equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion."*

*Specifically, Shared Education involves the sustained provision of opportunities for children and young people from different community, as well as social and economic, backgrounds to learn together."*

*It is expected that Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children from differing Section 75 groups (e.g. children from different religious backgrounds, children from different racial backgrounds, children with and without disabilities, children who are carers or school age mothers) and from differing socioeconomic backgrounds to learn together at school and in less formal education."*

From all that, we have a boiled-down definition in the Bill. Clause 1(2) states:

*"“Shared education” means the education together of—*

*(a) those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons; and*

*(b) those who are experiencing socio-economic deprivation and those who are not,*

*which is secured by the working together and co-operation of two or more relevant providers."*

I feel that the Assembly needs clarity on why the Department has gone for such a short definition.

The explanatory and financial memorandum of the Bill states that funding has been committed to support the implementation of shared education up to June 2018. The Minister says that funding will be mainstreamed after that and for the longer term. In the past, when short-term funded programmes that focused on community relations ended, so did the schemes.

In the Sharing Works policy, the Department is committed to increasing the percentage of pupils to 80% within four years. To put it mildly, this is ambitious and will place huge logistical demands on schools. Option 4 in the shared education business plan estimates that scaling up would cost £44 million. As legislators, we have a duty to seriously question the wisdom of spending the £44 million that it is estimated it would take to expand sharing between segregated sectors at a time when basic maintenance in schools is being neglected and special needs teaching is being squeezed.

It seems to me that the basic problem is that we have not even begun to tackle the lack of consensus on where we want to go as a society. Perhaps that lack of consensus is the reason why we have such a minimalist and unambitious Bill in front of us today. We have seen some very good work undertaken in the area of shared education over the past decade. Since the phrase first emerged in the Bain report of December 2006, there has been extensive academic research carried out in the School of Education at Queen's. Commitments were inserted into the Programme for Government and the ministerial advisory group reported in 2012.

We have the shared education campuses programme being rolled out. We have also had the recently published report from the Education Committee on shared and integrated education and the recent publication of 'Sharing Works: A Policy for Shared Education' from the Department of Education.

One would have thought that, with all that activity, the political class in the Assembly would have come to some sort of understanding on the issue and on the way forward. However, go back to 27 January this year and reread the adjournment debate on St Mary's teacher training college. An objective reviewer of that debate could only come up with one conclusion: that the overriding priority in education for the two nationalist parties in the Assembly is the protection of the Catholic maintained sector, and that any sharing must not compromise the ethical purity of that sector and its distinctive religious and Irish identity. That is an absolutely valid and defensible position to take up; just do not, at the same time, come out with rhetoric about a shared future. It constantly amazes me to see the Minister at the Dispatch Box railing against the perceived evils of separating children by academic selection at the age of 11.

He has never shown the same concern about separating children at age five, never mind at age 11, on the basis of religious denomination. Suddenly, in that scenario, the concept of parental choice trumps everything else.

To continue on the same theme, if we are to have sharing in education, surely there should be no barriers to teachers from all community backgrounds and none taking up employment in any grant-aided publicly funded school in Northern Ireland. The fair employment exemption and the certificate are two obvious barriers. On 13 April this year, the Assembly debated an Ulster Unionist motion proposed by Danny Kinahan, who is now the MP for South Antrim, that stated:

*"this Assembly notes the failure of the First Minister and deputy First Minister to repeal the exemption in fair employment law allowing discrimination on the grounds of religious belief in teacher appointments, as mandated by the motion Teachers: Employment Law, which was approved by the Assembly on 22 April 2013; recognises that the teacher exemption, as well as the continuing requirement for a certificate in religious education at nursery and primary level in the Catholic maintained sector, are unnecessary barriers to truly shared education; and calls on the First Minister and deputy First Minister to take action to remove these overt examples of inequality and discrimination." — [Official Report (Hansard), Bound Volume 103, p206, col 2].*

To remind Members, it was about the fact that, in 2015, the teaching profession is exempt from fair employment regulations here. Moreover, in the maintained sector, at nursery and primary level, schools can insist on applicants for teaching posts having a Catholic RE certificate. The Bill does not address those anomalies. The position of the Minister of Education is massively muddled on these issues. One minute, he says that he has written to OFMDFM on the certificate issue; the next, he says that he made a slip and that he actually wrote to it on the teacher exemption issue. Then he admits that he never wrote to it at all and just laughs the whole thing off.

In the debate on our motion on 13 April, nationalist MLAs lined up to defend the status quo. Mr Rogers of the SDLP said:

*"Many parents want their children to be taught in a Catholic ethos". — [Official Report (Hansard), Bound Volume 103, p224, col 1].*

He added:

*"The religious education provided by our teachers is essential for the right foundation in life and the development of the Catholic ethos. Our primary-school teachers do not teach just religious education but the whole curriculum. The Catholic ethos permeates all aspects of the curriculum." — [Official Report (Hansard), Bound Volume 103, p224, col 1].*

Winding on that debate, I said:

*"do we actually want a shared society and a shared future? That is something that everyone in the Assembly must ask themselves. If some want the perpetuation of inequality, segregation and a shared-out future, they should be honest and say so. Some recent debates in the House suggest that more than a few prefer the status quo; however, there can be no genuine shared education under the current circumstances. Without change, the shared education concept can never succeed. Unless schools have interchangeable staff, the whole project will not be balanced and, for practical reasons, will not work." — [Official Report (Hansard), Bound Volume 103, p229, col 2].*

I repeat that challenge today. Surely shared education cannot be simply about bussing children from one type of school to share, say, a physics GCSE class with children from another type of school in order to make up the numbers. Surely shared education cannot simply be about building a new school building to accommodate two schools, with the children entering the front door and half turning right and half turning left. It seems that, for some, sharing is to be undertaken only on their own terms and must not lead to a process of integration or a dilution of the ethos of their individual sector.

After the Bain review of 2006, the Catholic maintained sector did its own thing and independently rationalised its schools estate. The area planning process conducted by the former education and library boards happened after that. In one large provincial town, a Catholic maintained secondary and a state controlled secondary had, for over a decade, developed a shared learning community; they had established formal links and shared classes to develop the curriculum. After the maintained sector rationalised its schools estate, that all stopped; sharing across the traditional divide ended. That was six years ago.

It is not all doom and gloom. Good practice is continuing in many parts of the country, including in my constituency of Mid Ulster. However, despite talk of shared campuses and shared education, the current picture is mixed and patchy. Some could question the Minister's commitment to the delivery of the signature projects on shared education as the schools applying to participate, and even those already signed up to participate, are the only schools in Northern Ireland that are being pressurised to adhere to specific assessment criteria that are still the subject of a dispute between the unions and the Department. Time is of the essence in finding a resolution here as time progresses for the successful delivery of each project where funds can be spent appropriately.

**11.30 am**

I know of a proposed project that aims to focus on children in the foundation years. That is surely admirable, as they

are building a shared education ethos from the beginning of their school years, but the assessments that are being called for take place on older children in the school. In actual fact, the assessments of that school are not relating to the actual shared education project that would be implemented in that school. Those are the sorts of anomalies that need to be thought about, and a resolution must be found in that area. The Chair of the Committee knew that I might raise the issue of the assessments. I believe that the type of assessment is not necessarily key, but rather that some type of assessment is made.

The shared education that the Ulster Unionist Party believes in must lead somewhere. There is no indication in the Bill that it will lead anywhere. Is the Assembly serious about a shared future? Is it serious about shared education? What do we mean by shared education? The answers to those fundamental questions are not to be found on the A4 page that contains the four clauses of the Shared Education Bill. We will listen carefully to what the Minister and others have to say, and make further contributions as the Bill proceeds at Committee and Further Consideration Stages.

**Mr Lunn:** First, I join others in wishing you well, Mr Speaker, as you attempt to complete the good work that you are involved in in this mandate and, obviously, beyond that, I wish you well for your retirement, whatever you decide to do. I am told that 70 is the new 50. I certainly hope it is, in my case, as well. Good luck to you.

I am going to speak in favour of the Bill. I am saying that at the outset, and I will say it at the end of my contribution because, in between, people might wonder what I meant by that. I am glad that other Members have expressed reservations in various forms about the quality, content and significance of the Bill. As somebody has said, it is a good starting point. It is worthwhile; it is an attempt by the Department to at least clarify what is meant by shared education. I cannot help thinking that the definition that it has come up with is not perfect, and I am glad that I am not the only one to say that.

I enjoyed the Minister's opening remarks. That is not to say that I do not normally enjoy them, but I enjoyed them on this occasion because, for a start, they were mercifully brief, and, apart from that, the content was good to my ears, because, at the beginning of his comments, the Minister highlighted at some length the benefits of children being educated together. He actually could have been talking about the integrated sector. It would have been the same speech. I hope I heard him right on this, because it was quite encouraging to me, but he talked about the word "promote" and its inclusion in the Bill. There is now an obligation on the Department to:

*"encourage, facilitate and promote shared education",*

but only to "facilitate" and "encourage" integrated education. I happen to think that "promote" is a powerful word. If you look at the dictionary definition, you may find that it is the strongest of those three words.

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

**Mr Lunn:** Sure; yes.

**Mr Weir:** I am loath to interrupt the school report that the Member is giving the Minister, but, by way of clarification, the Bill talks about "encourage" rather than "promote".

Strictly speaking, it is, I suppose, one of the things on which the Minister made clear there may be a divergence of opinion. It does not place an obligation; it places a power, which is of a different nature.

**Mr Lunn:** I thank the Chair for that. I was going to mention at some stage the use of the words “power”, “duty” and “obligation”. I am not sure which is the strongest; I fancy it is “obligation”. Perhaps the Minister can clarify that. I also point out that the Minister has recently agreed to conduct a review of the integrated education sector. I look forward to hearing more detail from him on what he has in mind, because the sector would like that review to be independent and not conducted by the Department.

Quite a lot of money has been set aside for this project. My understanding is that quite a lot of money is to be set aside for shared and integrated projects, particularly capital projects. I cannot escape the feeling that it is all directed at the shared education projects at the moment. “Shared” is the buzzword, and that is the direction of travel. That is what worries people who have spent well over 30 years now trying to bring children together through the medium of integrated education, despite the blockages, objections and all the reasons not to honour the Department’s obligations in that respect, all of which have held back the development of the sector. Now, we are told that the integrated schools are at the top end of the continuum — that is the word being used — of shared education. In other words, there is an expectation, or perhaps a hope, that all this on shared education will lead to some integration and that schools will get to know each other and begin to realise that integrated education is not something to be feared but perhaps a natural consequence of what they are now embarking on. I hope that that is the case. In, I think, 35 years, the integrated sector has produced only roughly 7% penetration into the entire school population. We will just have to see where this all goes.

We talked about measurable outcomes, which are very important. It is not hard to measure the educational outcomes of a sharing programme. There is either improvement or there is not. I hope that there is. I guess that the socio-economic and social development outcomes will be a lot more difficult to measure. I hope that, in the timescale that we are talking about, proper measuring devices can be arrived at to ensure that we can see an outcome, because the money will run out. I think that Mrs Overend said that the project is funded until 2018. Beyond that, it will be mainstreamed. Well, let us see in 2018 whether it is worthwhile mainstreaming it. The jury will certainly be out.

The Bill misses an opportunity to consolidate the relationship between shared and integrated education. That is something that we may come back to at Consideration Stage.

I will talk specifically about the wording in the Bill. The definition of “shared education” is the education together of:

*“those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children”.*

That will be of interest to a school such as, let us say, Methody. I often refer to Methodist College. For the record again — Robin Newton, an old boy, is looking at me —

the composition of Methodist College is roughly 45% Protestant, 25% Catholic and 30% other. What about the others? The others may be Protestants and Catholics who do not choose to define themselves in that way; genuine others who have no belief whatsoever; or, if they are from the immigrant population, they could be Muslim. There is a lot of diversity in our society these days. I would like to see something in there that refers to people who are not Protestant or Catholic.

Just last week, we had a presentation from the Department. I see Faustina and Andrew in the Officials’ Box today. It was very interesting presentation on flexibility, which other Members have mentioned. The Chair mentioned the possibility of having some kind of Roman tribune or czar sitting at the top of all this making decisions about which projects will be acceptable and which will not. I am sure that we will not get to that point, but somebody presumably has to make decisions. I hope that there will be a lot of room for flexibility, because it worries me that projects could fall between the stools of “Protestant”, “Catholic”, “other”, “socially deprived” and whatever other criteria come over the horizon. It would be a shame if good projects were not accepted or funded because they did not meet the specific criteria — not enough Catholics, Protestants or socially deprived children involved — even though they were very worthy projects. I hope that we do not get to that stage, because it would make a nonsense of the whole project.

I will say something positive about the Bill. Clause 1(3)(b) refers to:

*“services of any kind ... which provide educational benefit to children or young persons or which are ancillary to education.”*

That is quite important, because it indicates to me that “services” does not have to mean something strictly and directly connected to the curriculum. Mr Rogers mentioned a project on World War One and that kind of thing involving his old school, St Louis Grammar School, and a school in Taunton. That may not be on the curriculum, but it is absolutely vital.

I always come back to this point: what is the thrust of this? Is it meant to be educational benefit? That was my understanding of the original reason for shared education. It still has to be the basic reason for it, but is it also about some kind of belief that it will have a dramatic effect on our children? If it does have that dramatic effect on our children, surely the natural consequence is to bring children together through a properly integrated system and not this constant reference to sharing. I hope that that is the way in which we go, and I hope that people come to realise that through the sharing projects.

Mr Flanagan paid tribute, as he would do, to what goes on in Fermanagh. Fermanagh is a terrific example of what can be achieved. Others mentioned Ballycastle High School and Cross and Passion College. We had a presentation from them, and they do excellent work. It is only a small point, but they told us that their sixth-form bash this year was a joint event for the first time. I do not know what consequences will flow from that, but it is great to see.

We have visited Limavady a couple of times. You cannot fault what is going on there, as it is excellent. Even if you aspire to the concept that schools should be coming



together as one rather than being separate and sharing, Limavady is an excellent example of what can be achieved. It is also happening in Londonderry, or Derry, and elsewhere.

I do not want to knock the Bill, but I continually wonder whether the needs and rights of the integrated sector are being honoured, and I would like to hear from the Minister about that. I could cite many examples from down the years of where integrated schools have been held back or turned down. I will make an exception in your case, Minister, because I believe that you have honestly done your best to respect the obligation during your tenure. Again, I could quote example of that happening.

Beyond that, we will have more to say about the Bill at Consideration Stage, and, I fancy, others will as well. The Bill is not perfect, but what Bill ever has been? It is mercifully short, so we should not have to agonise over it for months. Sometimes, things that are short and sweet are quite complicated, too, but let us see where we go with it.

**Mr B McCrea:** Will the Member give way?

**Mr Lunn:** Yes, certainly.

**Mr B McCrea:** I want to ask the Member's opinion about the merit of the Bill being mercifully short. For a topic of this importance, maybe there ought to be a bit more substance to it. I find it strange that the Bill is only one A4 page in length. I wonder whether that is an omission rather than a positive.

**Mr Lunn:** I thank the Member for that. He is not known for brevity himself, so he may learn something from it. *[Laughter.]*

I do not mind that it is a short Bill. This is the groundwork and first step, as others have said, towards something that will obviously have to be tweaked and amended along the way as we learn from it. I do think that it has merit, so I hope that you will forgive me, Members, for anything I have said that appears to cast doubt on the whole project because I am not intending to be entirely negative about this.

**11.45 am**

**Mr Newton:** Like others, including the Chair, my party colleague, I am generally supportive of the Bill. I think that it is important to recognise where the Bill is coming from, what its genesis was and what its driver is. It is coming from the parties that sit around the Executive table and that develop the Programme for Government.

The Programme for Government placed specific objectives on the Department of Education, and those were determined to be in three areas. The first was to establish a ministerial advisory group to explore and bring forward recommendations to the Minister of Education. The second was to ensure that all children had the opportunity to participate in shared education programmes by 2015. We may have missed the target of including all children. The third objective was to substantially increase the number of schools sharing facilities by 2015, and, in welcoming the progress that is being made in that sphere, I can say that some excellent examples have been brought to the Committee as evidence of that. Indeed, the Committee has had the opportunity to go out and look at the practice that is in operation. I do not think that any member of the Committee has not been impressed by what they have heard or what they have seen, appreciating all the

difficulties and hurdles that principals and boards of governors have had to get over to make the initiatives work.

Reference was made to this being a small Bill, and I would not use the words "mercifully small". It is small, but it is significant, and it is a significant step in progress in Northern Ireland. If we can get the Bill passed, we will have taken a very positive step forward in education. All the evidence and all of what we have seen has been positive. The visits that we have undertaken as a Committee have been good examples of good practice, and, where projects have emerged, they have involved the essential condition or criteria that local parents, schools and communities have been supportive of them. I think that this is one of the essential ingredients as shared education moves forward.

There are good examples, and Trevor Lunn referred to the long history of Methodist College, or Methody. I am not a former pupil, by the way. I never had the brains to go to Methody.

**Mr Lunn:** They turned you down.

**Mr Newton:** They turned me down.

That long history and ethos, and the good practice that is there, is embedded in that school. There is much good practice in other areas, and Trevor referred to those as good examples. Much of it has been done below the radar, where a song and dance has not been made about it, where press releases have not been issued, and where communities together have got on with each other and have done it and seen the benefits. If we are going down this route, as we are, then I suppose that the ethos and objectives need to be encapsulated in the Bill. Certainly, we need to see an improvement in education standards and all that flows from that for our children and young people and we need to further explore and examine at the next stage how that can be built in, too.

Much can be made of sending a class of A-level pupils to one school or another and sharing facilities. Is that really what we want? No, it is not really what we want, but it is a step forward. Where we have a school with a good reputation in mathematics, science, English, the arts, or whatever it might be, and an adjacent school that is maybe not just as strong in an area, why would we not want the former to share its strengths? Why would we not bring those schools together? Why would we not let that be shared with the pupils in the schools, or the young people in the colleges, for the benefit of their education?

On sharing the skills of our teaching staff, there are teachers who are exemplars and have leadership qualities that are way beyond what might be regarded as the norm. Why would we not allow a wider range of children to experience, or live within, those leadership qualities and gain from the knowledge and enthusiasm that some teachers can impart, beyond what others can do?

Moving forward, in the next five, 10 and 15 years, buildings and resources will be tight and at a premium; so why would we not want to share them where possible. There is a strong economic and educational case for shared education.

I have made the point that communities need to be comfortable with it. I suggest, as others have done, that not every community can move at the same pace and not every community will have the same opportunity, but a start needs to be made and a building block needs to



be put in place. If we put that building block in place, I have no doubt that, when the benefits of it are seen, other communities will follow.

There have been a number of examples in the past, one of which was education for mutual understanding. I happen to believe that it was not a great initiative, but it was an initiative nonetheless. I know that Trevor Lunn is very much tied into the integrated education movement, but he recognises that it has not set the education world alight, given that he said that only 7% of the school population is involved in the integrated sector. Parents have not bought into the integrated sector, generally speaking, and pupils are not flocking to it.

**Mr Lunn:** I thank Mr Newton for giving way. I hear what he says, but where we differ is the reason why the integrated sector has not set the world on fire. It is not because of the lack of parental demand or choice, it is because of what I referred to in my speech as the Department's reluctance down the years to entirely embrace the sector and the obligations that it has towards it. Again, for the record, I have tried to absolve the present Minister of that. The sector has not been given the opportunity to flourish; that is where the problem is.

**Mr Newton:** I am not sure that I can totally agree with what the Member said, but he has shared that view in the Committee and, indeed, in the Chamber on previous occasions.

If we are going to move forward on this, we have to recognise that we have a very good cohort of teaching staff.

They are professional, dedicated and committed to their teaching profession, and shared education gives them an opportunity to share those skills and knowledge with a wider range of pupils.

I have already said that we cannot force the pace of this initiative, but we can indicate to parents and schools what the benefits might be for our children and young people. Where I think there is an essential feature if we are to fully gain the benefits — reference was made to it — is the matter of area planning. I have been greatly disappointed by what I have seen of area planning activities, which were described by one learned gentleman who came to give evidence to the Committee as being a cut-and-paste exercise. Many will agree with that description. If we are to be successful and this Bill is to deliver, we need to have successful, effective and holistic area planning. There needs to be a holistic approach to the planning of our schools estate, not a sectoral approach. It brings benefits to the Minister's budget and releases money to be spent on other things if we have an area plan that works.

This is a good step forward. Further work is needed on the Bill. Other steps need to be put in place for the Bill to work and to deliver in and around our education. Let me finish with the one area in the Bill that gives me great encouragement. It refers to not only dealing with Protestant, Catholic or others. The Bill will help those:

*"who are experiencing socio-economic deprivation",*

and allow them to mix with those who are not experiencing it, and to allow schools to implement initiatives that can ensure that those from a less-well-off background have the opportunities to go to what might be regarded as some of the more elite grammar schools. That takes us

another step forward that can only be of benefit to our schoolchildren, young people and the future of Northern Ireland.

**Mr Kennedy:** Thanks for the opportunity to speak on this brief Bill — and to speak briefly, because much of the ground has already been covered by my colleague Sandra Overend. The Ulster Unionist Party has always given fair wind to the concept of shared education. We applaud the efforts of schools from different sectors to come together to share classes and facilities, whether that is in County Fermanagh or other parts of Northern Ireland, such as Limavady or Ballycastle. There are very good examples of practical cooperation out there, not least in my constituency of Newry and Armagh, and I am certainly aware of those.

As my colleague Mrs Overend explained in her speech, however, the concern is that there is no consensus about what shared education means. We have had some discussion on that and highlighted that even through this debate. In some ways, this short Bill does not take us much further forward in that. We have heard the rhetoric in this Assembly about shared education, but we should remind ourselves that, just a few months ago, in this very Assembly in debates about St Mary's teaching college and its future, Sinn Féin and the SDLP were competing as to who could stand up for the separate Catholic education system. There was no hint there of a shared future in education. It is also a fact that the CCMS continues to criticise integrated education heavily. It is my understanding that no Catholic maintained school has ever transformed into an integrated school. Twenty-five controlled schools have become officially integrated over 25 years.

## 12.00 noon

**Mr Lunn:** Will the Member give way on that?

**Mr Kennedy:** I will give way.

**Mr Lunn:** Just for the record: one Catholic maintained primary school has attempted to become integrated recently, and it is being blocked by the Minister.

**Mr Kennedy:** That confirms concerns that are still out there that, whilst the rhetoric is about shared education, the reality is still some way off. Those facts raise concern about equity.

It seems to me that there has been a complete lack of consistent policy on shared education. The Minister published a shared education policy three days after he approved yet another amalgamation of three Catholic maintained primary schools. He has approved increases in integrated school enrolments when they will affect controlled schools in places such as Moira and Carrickfergus, but he refuses integrated enrolments when they will affect the maintained sector, certainly in the Omagh area. There is no evidence of shared education there. It may be that Sinn Féin and the DUP are signing up to some shared campuses —

**Mr O'Dowd:** Will the Member give way?

**Mr Kennedy:** The Minister will have ample opportunity when he makes his winding-up speech, and I am sure that he will take the opportunity. He normally likes to hold forth on his opinions.

It appears that Sinn Féin and the DUP are signing up to some shared campuses with separate schools and, effectively, to a tick-box exercise called "shared education". We need to understand that shared education is more important than that and has to be treated as shared education and not shared-out education. We support shared education if it is part of a process leading to a single-state education system in Northern Ireland that is open to all. As my colleague indicated, this short Bill, as it stands, does not signal a proper or full way forward to obtaining a shared future in education. We will seek to improve it as it continues on its legislative process, and I hope very much that others will be open to the suggestions that we will make.

**Mr McCausland:** The document that we have before us today, the Shared Education Bill, in many ways provides definition, context and a framework, but there is clearly a lot of work still to be done on taking shared education forward. It is certainly the case, as was highlighted by others, that there is a growth of interest in shared education in many areas across the Province and in many schools. This is part of the picture for moving forward, but it is only part.

Benefits will flow from sharing in education. We are faced with a situation in which we are not starting to develop education in Northern Ireland with a clean sheet. There are strongly entrenched interests and rights, and it will take quite a long time to change that, because there is no clear evidence of any desire for change in many sectors. However, benefits flow from shared education, one of which is in community cohesion. The more that we can move forward in creating a shared and better future for Northern Ireland and for the people who live in Northern Ireland, so much the better. One element of that has to be community cohesion, and one element of building community cohesion is around the better understanding of others and their traditions, background and identity.

The benefits of building a shared and better future are clear. There is also evidence of educational benefits in shared learning, which was put to the Committee.

Our education system reflects the divisions in our society. The Bill will go some way, I hope, to addressing that and ameliorating the disadvantages of such division.

Among the issues going forward is that we need to look at the financial aspect of the Bill. How that is handled will be crucial. There are also practical issues, in that there are differences between sectors that need to be recognised. The definition in the Bill of shared education is:

*"those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons".*

Most children from the Roman Catholic community attend a Roman Catholic maintained school, and most children from the Protestant community attend a controlled school. The Bill defines the bringing together of children in terms of religious belief, but religious belief has some correlation with political belief and some with cultural identity.

If children are coming together from different backgrounds and sectors, it is important that they do so on the basis of equity and cultural confidence. That is a question that I put repeatedly over a number of Committee sessions to the academic experts who were giving evidence. It

always reminds me of Pierre Trudeau's comment on the relationship between Canada and America, when he said that living in Canada was a bit like being in bed "with an elephant." If people are coming together in anything, and it is to be genuinely shared, it is important that they come together on the basis of equity in the cultural confidence, awareness and competence of the children. When we questioned those who gave evidence to the Education Committee, some got it as an issue and some did not. That troubled me because, if there are folk in the education establishment who do not get it, that does not augur well.

I have emphasised time and again that, educationally, in being right for the child and in terms of the rights of the child, every child should have the opportunity in school to embrace, and have a greater awareness and better understanding of, the culture of the community from which they come. It is part of the United Nations Convention on the Rights of the Child, and a hugely important right, that the identity of the home and community from which a child comes — a child's cultural identity — is embraced, validated and affirmed in their school.

That certainly happens in Irish-medium schools, which are fundamentally based around language, culture and identity. It also happens to a large extent in the maintained sector. I remember an article by renowned columnist Jude Collins in the now defunct — thankfully — 'Daily Ireland', in which he said that we needed to fight for the preservation of CCMS and Roman Catholic schools, even for those who were not practising or devout Catholics, because they affirmed an Irish identity, taught Irish culture and helped children to see the world through Irish eyes. That was his perception, and I thought that, as an educationalist, he probably did know something about the subject. Who was I to disagree on that matter and in that area with Mr Collins?

In the same way, children coming from the controlled sector need to go into any sharing, shared or inclusive situation on the basis that their school has validated, affirmed and embraced their culture. It is a rights issue. It is an issue that arises in the context of shared education. It is many years indeed since I went through teacher training, but we were told in those days about the Bullock report on education. The Bullock report said that one of the contributors to a successful education was bringing the culture and language of the community into the school. Educationally, it is right. It is right in the context of shared education, and it is also the right of the child. I raise it today in this context merely because I want to take every opportunity to raise it so that those who are not so aware of the issue at the moment will become more aware of it within the cultural establishment and seek to play their part.

I am delighted that the Bill includes a reference to the Youth Council for Northern Ireland. That may have some relevance to the future existence or otherwise of the Youth Council for Northern Ireland. I do not know the Minister's thinking in that regard, but it is certainly specified in the Bill as one of the contributors. That is important, because what happens outside the school in the youth context is just as important as what happens within the school setting. CCEA also has an important role here. That relates to the point that I have been making about the cultural education of the children.

I am sure that there is a lot more work to be done on the Bill. There is a lot more work to be done in developing a common understanding of shared education, where it

leads and where it is going. However, it does recognise that, for many people in Northern Ireland, there is not a desire at this point to have a fully integrated system, but they would be comfortable with something of an incremental nature such as this facilitates. In many difficult issues, an incremental approach is best. It has to be one with which local communities are comfortable.

**Mr Allister:** My experience of my constituents is that their aspiration and primary interest in respect of their children is that they can obtain for them the best available education. Many do not nuance it much beyond that reality. I do not find that that is trumped by any aspiration towards social engineering, yet much that the Department brings forth seems to fit within the category of social engineering. Last night, I again chaired my local primary school's board of governors. The message that was coming through to me on a multiplicity of educational issues from parents, representatives and others was simply, "We want the best for our kids. We want a school that delivers. We want a school that passes them into a post-primary system that maximises their talents. We are not particularly interested in ticking social-engineering boxes. We are interested in achievement for our kids."

I must say that I fear that some of what should be the foundational and overarching objective in education of that nature is being lost. I also detect in the context of this proposal the hand of those who, of course, are determined to rewrite the educational charter in Northern Ireland. We had another exposition of it from the Minister last week. He is determined, if he can, to write grammar schools out of it and to write selection out of it. This seems to dovetail with that, almost to the point of being a Trojan facilitator of it.

Let me say that I have no difficulties whatsoever, where it is pragmatic and sensible, with two, three or more schools sharing a new science lab or whatever to better all in that school community.

There is no sensible or practical objection to that.

**12.15 pm**

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

**Mr Allister:** Yes.

**Mr McNarry:** Does the Member agree that, perhaps within this multicoloured vision, what we are heading towards is multi-developed sites, campuses of 2,000 or 2,500 pupils, brought there, as the Member says, in some form of social engineering? In what he is saying, could the Member address the House on how we might escape from that, in terms of coming back to what his constituency wants, which is very similar to what my constituents are saying on the matter?

**Mr Allister:** I think that, under the aegis of this Bill, we are not going to escape from that. The Bill requires the Education Authority, by virtue of the definition it gives, to activate the statutory obligation on it under section 2 of the 2014 Act:

*"to encourage, facilitate and promote shared education."*

Of course, it does this in respect of integrated education, and we know what that means: preferential funding. It does it in respect of the Irish-medium sector, and we know what that means: preferential funding. Now, it is to do that

in respect of what is termed "shared education", so we know what that will mean: preferential funding. Preferential funding, as experienced, as applied to the integrated and the Irish-medium sectors, has meant a dearth of funding for the controlled sector and, at times, the maintained sector. So, we can see where this is going.

I think that the experience of large campuses is not perhaps working out as all the promise packaged in them said it would. I hear rumblings from Omagh Academy about how it feels it is being squeezed and its identity lost. That which was promised to the school is, in fact, being repressed. So, I think there is, within the Bill, an element of social engineering and politicising of education, even more than it already is. I detect within the Bill the very distinct anti-grammar school and anti-selection agenda of the Minister.

**Mr B McCrea:** Will the Member give way?

**Mr Allister:** In a moment.

Those who are signing up for this seem to include people who have painted themselves as the saviours of grammar schools and selection. This is almost going to create a new elitism, the triumph of Marxist philosophy. That is really what is being ensconced in clause 1 of the Bill, in the definition. This is the Minister's prime argument, as I understand it, for he is anti-selection and he takes an anti-grammar school stance. For all the reasons of political correctness, we are going to tick the sectarian box and then tick the box so that all, from whatever background, might have, enjoy and attain — irrespective of the fact that it is a conglomeration of different talents — the same opportunities and achievements. There is nothing wrong with that, but it is absolute folly to think that all kids are equal in their academic or non-academic abilities. This idea of the second part of the definition:

*"those who are experiencing socio-economic deprivation and those who are not",*

has now, suddenly, become a prioritised, funded objective of shared education. It is an ill-disguised attack on what, in the Minister's definition, grammar school education and selection represent. It is an ill-disguised attack on those concepts. So I have no difficulty in identifying what I perceive to be the political agenda driving this.

I make the point again: you do not need this sort of legislation to enable the pragmatic, practical, sensible cooperation that you might see in any one town. You only need this gloss and this element of definition if, in fact, your motivation is to build a Trojan Horse in support of an anti-selection, anti-grammar school agenda.

I think that I was due to give way first to Mr McCrea.

**Mr B McCrea:** You are very kind, Mr Allister. Actually, you have gone on to develop the theme; I was not sure that you were going to. As Mr Allister was aware, I highlighted clause 1(2)(b):

*"those who are experiencing socio-economic deprivation and those who are not"*

It seems to me that this is the central point of the Bill. This is indeed a Trojan Horse; an attack on existing structures and an attempt to bring in comprehensive education by an alternative route. The Member carried on and dealt with the matter, but I find it strange, and I ask him whether he

also finds it strange, that the point has not been raised by any of the major parties heretofore?

**Mr Allister:** The Member puts it well and articulates what I myself feel about this. This is a scarcely concealed assault on the existing educational establishment for the purpose of peddling and promoting the comprehensive agenda — which, of course, other parts of the United Kingdom are retreating from at a great rate of knots. That is exactly what is afoot here, and I identify and empathise with that point.

**Mr Weir:** I thank the Member for giving way. I share in the belief that parents around Northern Ireland see educational improvement as the main objective. Wanting to link in with educational attainment is important, but I have to say that I am somewhat amazed by the leaps that the Member has made. He uses a Trojan Horse analogy. I and the Minister take very different views of selection. This is not some sort of Trojan Horse for comprehensive education or the destruction of the grammars. Rather, if one is to use an analogy, the Member is in the role of Don Quixote tilting at fantasy windmills. Shared education can be of educational benefit: cooperation can lead to dealing with issues of social and educational deprivation and educational underachievement. However, the kind of fantasy problems seen by the Member in the legislation are wide of the mark. He is peddling a completely false premise and completely false fears.

**Mr Allister:** With respect, the DUP Chief Whip is the last person to give lectures on fantasy windmills because, of course, it was the DUP that bought into Government in 2007 on a number of premises, each of which has now been shown to have been utterly false. They now discover that the party that they are sitting in Government with is controlled by a body that they said had been disbanded with the decommissioning of all weapons. Now they find that is not so —

**Mr Speaker:** Order. I ask the Member to return immediately to the issue before us. We are well off the topic.

**Mr Allister:** I suppose that I am. *[Laughter.]* I was making the point that the credentials of the Member in making a judgement of when and where there are Trojan Horses are perhaps a little suspect.

You cannot analyse the Bill without the conclusion. Ask yourself the simple question: does the process outlined, along with the statutory duty in last year's Bill, advance comprehensive education or the alternative? I think that any fair-minded person would come to the conclusion that the primary beneficiaries will be those who build their philosophy on the words of clause 1(2)(b) by bringing together:

*“those who are experiencing socio-economic deprivation and those who are not”,*

thereby comprehensivising all of the educational system.

That is, patently and obviously, what it is about. There are those who, by dint of the political agreements that they are required to make to keep themselves in office, have strained at many a gnat, but here is another camel that they are quite prepared to swallow. The DUP has swallowed this camel. It will still wear a badge that says that the party is for grammar schools or for selection, but its Members will troop through the Lobbies to endorse the very philosophy that undermines the —

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

**Mr Allister:** No. Judging by his previous contribution, I do not think that there is a lot of merit in giving way to the Member, although I normally do, as he knows.

I think that there is a bit of discomfort among them, and so there should be, and if I can add to that discomfort by shining the torch of truth on to what is really going on, not for the first time I am happy to do so.

I will finish where I started: education should be about outcomes and improvements. It should not be about ticking fashionable boxes, and doing so in such a way that it financially disadvantages others whose cause some still claim to endorse. I have no interest in the social engineering that I detect in the Bill. Therefore, I think that the Bill is of the nature that I have described.

Mr Speaker, I am normally fairly diligent about staying on to listen to the entirety of a debate, but I have an arrangement that I have to fulfil. I hope to be back in time to hear the Minister's reply, but I apologise to succeeding contributors if I am not here when they speak.

**Mr B McCrea:** The Bill is an assault on the existing education structures. It is certainly an assault on integrated education. There are some who started their contribution by saying that it is “mercifully short”. We must therefore take the opportunity to look at why the Bill has been introduced at all. What is the purpose of introducing a “mercifully short” Bill?

Mr Allister indicated that he may have to go. Before he does, I will deal with his issues. He was challenged by the Chief Whip of the DUP across the Chamber, and whether the Chief Whip of the DUP wants to take on Mr Allister or me, the argument will be the same. Clause 1(2)(b) states:

*“those who are experiencing socio-economic deprivation and those who are not”.*

This is a Trojan Horse. It is an attempt to put finance where finance was not before. Given that we are dealing in a fixed sum of money, taking money from one source to give preference to the other will mean the demise of the financial contribution.

There may well be people here who tut-tut. When the great mantra of Don Quixote is brought up, I always know that a nerve has been touched, as it alludes to the fact that someone is mad to be suggesting the point that he or she is making. Well, in looking through the Bill, I see relatively few things to discuss other than these issues. It is not being a Don Quixote to point out the fallacy in the argument that is being put forward.

In a speech made by Mr Kennedy — I am sure that the words that I am about to say will cause him a little concern — I agreed with what he had to say, almost in its entirety. I realise that that may be something of a shock and we may have to revisit the issue, but he said that this short Bill does not take us very far. He said, in relation to the argument about Stranmillis and St Mary's, that, if people were genuine in their approach to shared education, they might have adopted a different position on that.

**12.30 pm**

Others have made contributions about integrated education and the fact that only 7% of the population are involved



in integrated education. The reason for that is that the numbers in integrated schools are capped, so those who wish to change to some form of integrated education are prevented from doing so. If you look through successive polls, you will see that there is willingness to change.

Some say that the Bill is a stepping stone. My problem with stepping stones is that they are all very well when you are dealing with shallow water and can get from one side to the other, but a stepping stone that leads you into a deep-water channel brings you nowhere but to destruction. We need not to put in place stepping stones but to build bridges.

I do not necessarily need to have an integrated structure per se. I am happy to have other forms of education. It is time for another uncomfortable truth: I noted when Nelson McCausland was talking that he and I went to Belfast Royal Academy, as did Mr Lunn — we may have to have some form of reunion. That school has a very mixed intake. It is a grammar school that brings in people from all backgrounds and tries to reach, on the basis of merit, those who want an academic education. I do not want that school to have to change its position because it does not provide strictly integrated education, but, believe me, it is integrated education nonetheless.

If you want to know where I think that we should be strategically in 20 to 25 years' time — those of you who are interested in a lot of stepping stones — I think that our children should be freely educated together. They should be in a structure in which they can be educated on the basis of and where they are provided with services that they want to receive. I agree with Mr Allister that what really influences most parents is that they want quality education for their children. When I look at the Bill — Trojan Horse/Don Quixote — I see a really strange Bill. I just do not understand why such a modest proposal has been put forward.

There is a strategic issue. The fundamental fault line in our society, the Assembly and our political processes is the idea of maintaining Catholic, Protestant and separate. That is the issue that we have to resolve, and, simply put, this form of delivery will take too long. It will be hijacked for alternative strategies that have nothing to do with what is in the Bill.

Almost half of our children are taught in schools in which 95% or more of pupils are of the same religion. Only 7% attend integrated schools. It was suggested in the Committee that this shows the failure of integrated education, yet what I pick up from successive opinion polls — maybe others will have different information — is that the public at large want greater integration and an end to segregation.

There was a poll by LucidTalk in 2013. I know that there are others, but these are the figures that I happen to have. In that poll, 66% said that they believed that integrated schools should be the main model for our education system; 68% said that they believed that integrated schools are the best settings to prepare children for living and working in an increasingly diverse society; and 79% said that they would support a request to transform the school that their children attend to an integrated school.

You go back to how our friends try to help us. Speaking in the Waterfront Hall in July 2013, no less a figure than President Obama said:

*"If towns remain divided — if Catholics have their schools and buildings, and Protestants have theirs — if we can't see ourselves in one another, if fear or resentment are allowed to harden, that encourages division. It discourages cooperation."*

I am sure that other Members will deal with it, but, as far back as 2010, the First Minister, Peter Robinson, described Northern Ireland's education system as being a "benign form of apartheid".

The Good Friday Agreement — the Belfast Agreement — contains a specific pledge to:

*"facilitate and encourage integrated education and mixed housing",*

as an essential element in the process of reconciliation and the creation of a culture of tolerance at every level of society. The Bill attempts to change that balance. It attempts to put shared education on a similar level as integrated education and, in the fullness of time, it will subsume that obligation. This is a change of political priorities, and it should not go unremarked.

There are people here who talk about shared education, who believe that it is in some way the same or analogous to integrated education. There are people who say the words, but they do not really mean them. It is a tick-box exercise. The principal of Enniskillen Integrated Primary School, Adele Kerr, was dismayed when Arlene Foster made comments about her school when Obama and Cameron came to see it. She said that it was:

*"a blatant attempt to sabotage this historical day".*

She said that Mrs Foster's comment was "insulting" and:

*"If Mrs Foster visited our school which she has never done, despite me telling her the door is always open, she would know why we were chosen for our visit."*

We should not speak with weasel words. We should not pretend to be one thing and do another. We have to tackle the integration of our children if we want to have a future in this place.

I am coming to the end of my contribution. In its recent report on shared and integrated education, which it presented in September, the Committee for Education was spectacularly dismissive of integrated education. It stated:

*"Given the relatively limited uptake of Integrated Education and the very different views expressed by sectoral bodies in respect of its facilitation, encouragement and definition, the Committee agreed that the Department should undertake a strategic review of its approach and relevant actions to date relating to Integrated Education."*

I was not on that Committee, though I have been in the past. I resile from that point of view. I do not think that it is the right way forward. I do not think that we should abandon integrated education nor try to supplant it with something different. The Bill, in its points, pays lip service to integration and, in the process, attempts to introduce a legislative framework that will allow the Minister of the day to produce finance for his own particular interests.

This is not the right way forward, and that is why the Bill is extremely dangerous. For those who say that they will give



it a fair wind and have a look at it in the Committee, it is a Bill that is on two sides of A4 paper with no real clauses or information. What are you going to do at Committee Stage? Are you going to introduce 100 amendments? Are you going to get agreements on those amendments? Or, are you going to push through something that lets the Minister of the day do whatever he likes? Members on the Benches opposite have a responsibility to stand up and fight for the education system in this part of the world because it is a good system. Of course there are areas that we need to address, but the issue is that doing it on one page of A4 is not the right way forward.

I intend to return to that after Committee Stage. This should not go through on the nod. Those Members sitting opposite really need to have a look at the Bill and see if they truly agree with it.

**Mr Speaker:** I just point out, John, that the Business Committee has agreed to meet at 1.00 pm. I do not know how long you intend to take with your contribution.

**Mr McCallister:** Thank you, Mr Speaker. I hope to finish at 1.00 pm or possibly before it.

In opening my contribution to the debate, I will say that I welcome the Bill in the context that I proposed the amendments that put it in the Bill that established the Education Authority. I suppose there are several options that we could look at that people have produced around education and where we may go on these things. Some say that we should go to a single education system. That is fine because no doubt that would be a secular education system. Dare I say that to go down that road, with a comprehensive-style system, would be much more of a Trojan Horse. It would also be much more limiting to parental choice. It would fly in the face of what I would like to see.

I agree with one point made by Mr Allister, which was that educational outcomes should be the main objective of this. However, by sharing, you hope to give access to the best schools and the best teachers and to broaden the curriculum. That is what you want to do. I hope that the Minister's policy and aspirations for the Bill are about that: extending choice and giving kids from various backgrounds the opportunity to share and have a curriculum that they would not otherwise be able to take advantage of. That is the essence of the Bill and, for me, its importance.

I give the Minister notice that I may think of amending the Bill when it comes back from Committee Stage. Of course there are things that I want included. However, the Bill is not a Trojan Horse for some sort of all-embracing comprehensive system. It cannot be. The very definition of having to share means that you must have different systems and sectors. It may be desirable to go to a single education system, if you want a very much one-size-fits-all approach to education. I think that Mr Flanagan said, at the start of the debate, that this may not be where you would start if you had a blank canvas, but we are where we are in education terms.

**Mr Weir:** I thank the Member for giving way. As has been indicated, there are different views around the Chamber on comprehensive education and academic selection, and those are well trodden. However, the Bill is essentially silent on that. There has been a slight element of educational McCarthyism that sees reds under every bed and some sort of subliminal Marxist agenda — the Minister

may well have an overt Marxist agenda — but this is about sharing between sectors. I really fail to see where the difficulty is with trying to share, particularly between those who are in socio-economic deprivation and those who are not. I am not quite sure how this is some amazing pathway to comprehensive education or, as some would have it, some reinforcement of the current system.

**Mr McCallister:** I am grateful to Mr Weir for that, and I agree with his point. It has long been established that we have a huge job to do in our education system, especially to deal with the huge failing in Protestant working-class areas and across the board in all working-class areas where our education system is not delivering.

#### 12.45 pm

The Member knows my views on creating social mobility and, of course, education is one of the greatest assets we can give people. One of the greatest advantages we can give our young people to get them economically active is a proper and decent education. That way, they get a start in life and do not get trapped on welfare. It ties in with so much of our policy agenda, and it is crucial that we get it right. So, I do not fear giving people from poorer backgrounds some advantages through access to better schools, widening the curriculum choice and sharing what we need to share. There is no Trojan Horse here.

My commitment is the same as that of many others, namely to have grammar schools that perform very well. I would also like to see us using other models in which schools can specialise. Mr Allister quite rightly mentioned that in England they are retreating from some of the comprehensive models, but they are looking at specialist schools. Could we have other schools — vocational schools — that specialise, whether it is in sport or music, and lift the standard?

You have various models that advocate totally integrated schools. That is much more of a worry and much more of a Trojan Horse towards a one-size-fits-all model. The people who argue for it may want to create some sort of beige-coloured society where we are all the same and of the one ability. That is not life. Diversity and pluralism make up our community in Northern Ireland, and we should celebrate that because it enriches all our society, right across not only to Northern Ireland but the entire United Kingdom and indeed the British Isles. Diversity enhances and enriches our lives, and we should cherish it.

It is also a great vehicle for providing parental choice, where parents can choose the model of education they would like to have. To those who say that we should go entirely integrated and secular in education, I say, "You are limiting parental choice by doing that." You are also trying to pretend that the Catholic Church, the CCMS or the Transferor Representatives' Council should be out of existence. That is not where we are. That view also denies the fact that faith-ethos education outperforms other types of education. If we look at the list of the best performing schools, Catholic grammar schools are amongst the best and I think that the top 10 non-selective secondary schools are all in the maintained sector. What are they doing and giving in that ethos-based education that other schools need to replicate? We should be sharing and lifting all boats in a rising tide. That is what we need to do.

**Mr Lunn:** I thank the Member for giving way. Does he agree that the Bill provides a real opportunity for the grammar schools, which so many here support, as do I, to share some of their expertise and experience and demonstrate generosity and, perhaps, community responsibility by reaching out to other schools that are not quite so successful? That may be a problem as regards the criteria in the Bill on different sectors, but there is a real opportunity for a trickle-down experience and, as you said, to lift all boats.

**Mr McCallister:** I agree with Mr Lunn that there is an opportunity. If some of the criteria need to be changed, then that is what the Committee Stage and Consideration Stage are for.

I am quite sure that Members, the Committee and the Chair will want to work with the Minister, and I am sure that the Minister will be keen to engage.

The big challenge for CCMS and the Catholic Church is how they open up those schools to others. As Mr Lunn said, how do we use that expertise, knowledge and ethos? How do we share it and help to raise standards across our school system? The societal benefits that flow from that are of great benefit to us, but education is the key priority. If we get that, the challenge that I put down to, broadly, the Catholic Church and the maintained sector is this: how do you make your schools more receptive to people from other faiths and none? We have models, and we do not have to look that far to other parts of our country. Some Church of England and Roman Catholic schools in England are even setting targets for admissions of 25% to 30% from other faiths or no faith. Why are parents in other parts of the country choosing that? It is because the standards are there.

**Mr Humphrey:** I am grateful to the Member for giving way. I listened intently to what he said about educational attainment in working-class areas. I recently spoke at the opening of an extension to a primary school in my constituency of North Belfast: Springfield. I made the point to those gathered that parents valuing education is a key element of raising the educational attainment that we are talking about, particularly in working-class areas of north and west Belfast. The issues that face young Catholics in Ardoyne are very similar to those that face young Protestants in Woodvale just across the Crumlin Road, where I live.

**Mr McCallister:** I absolutely accept that point. Not only do you have generational dependency on welfare and benefits but you need to give an education to help to get people out of that poverty trap. This is why, in the past, I have been critical of some of the Minister's cuts to early intervention. All that stuff contributes dramatically to improving outcomes for our children and their eventual participation in the wider economy. It is absolutely critical, and the point is well made as to how we would do that and actually start to share.

The big challenge, of course, is to those in the Catholic maintained sector who want, as I do, to maintain a faith/ethos education. They do not want a secular education and want to maintain their ethos. It is about how you open it up. How do you get a much more diverse intake into a school? You will have to look at diversity on your boards of governors. You will also have to look at diversity in your teaching staff and the barriers that they face. Mrs Overend

mentioned the barriers for teaching staff. All those things can make a huge contribution in how you tackle genuine sharing.

**Mr Rogers:** I thank the Member for giving way. Will the Member acknowledge that there are many schools with a faith-based ethos? I am thinking particularly of the likes of St Columbanus' College in Bangor. While it is a Catholic school, it has a large mix from right across the community. We really need to work on that to ensure that there is a better spread throughout our schools.

**Mr McCallister:** I am grateful, as always, to Mr Rogers for that point. We have some brilliant examples, whether St Columbanus' College in Bangor, Method in Belfast or Dominican College up in Portstewart. I think that Mr Lunn mentioned Cross and Passion College in Ballycastle. Sadly, however, as the figures suggest, we remain in the mid- to high 90s in percentage terms of those of us who are being educated in schools that have the same religious or community background as ourselves. We have some brilliant examples for the Minister to model on and to look at how we do that around Northern Ireland. I applaud those schools for doing it. I like that model because it is organic and natural, and it is happening without forcibly bringing people together. That is something to be welcomed.

However, you come back to the big challenges: what are the barriers to truly sharing and to having those models that Mr Rogers talked about in Bangor, Portstewart or Belfast? I suggest that in some areas, it is the diversity of the teaching staff, the diversity of the intake, making sure that people from a different faith, or no faith, feel welcome and can get the benefits of the pastoral care that is very recognisable in some of those schools, and making sure that they get all of the educational advantages. How do we get all of that in? How do we open up those schools and, effectively, free them and many of our parents into feeling that they can look at schools from a different community background as a realistic option to send their children to? We will know that we have started to make a difference on this when we have achieved that.

Yes, of course, like every piece of legislation, the Bill will need amendments and changes to be made and will demand that. That is why I welcome the Minister's bringing the Bill. I also welcome the fact that he has not moved on accelerated passage and that the Bill will go through the scrutiny stage. I agree with and applaud the overall objectives of what I believe is his policy intent. It should be focused on the educational outcomes, widening choice, extending the curriculum, using our education system to truly lift all boats and get aspiration back into all communities and using education to deliver that and to deliver on skills, the economy and releasing people from the poverty trap and the trap of welfare. I welcome the Bill, and I welcome the societal benefits that I very much hope will flow from it, if it is successfully passed and implemented. Thank you, Mr Speaker.

*The debate stood suspended.*

## Assembly Business

**Mr Speaker:** The Business Committee has arranged to meet at 1.00 pm. 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.

Before I suspend the sitting, I wish to advise the House that the Minister of Health, Social Services and Public Safety will respond to Mr Jim Allister's question for urgent oral answer immediately after the private Members' motion on funding for transport infrastructure. I have also been advised that Mrs Overend is not in a position to move the Adjournment debate today, so a revised indicative timings of the order of business has been issued.

*The sitting was suspended at 12.57 pm.*

*On resuming (Mr Speaker in the Chair) —*

**2.00 pm**

## Oral Answers to Questions

### Enterprise, Trade and Investment

#### Brexit: Local Impact

1. **Mr McKinney** asked the Minister of Enterprise, Trade and Investment for his assessment of the impact that the EU referendum will have on the local economy. (AQO 9041/11-16)

**Mr Bell (The Minister of Enterprise, Trade and Investment):** I have an opportunity to wish you well, Mr Speaker, after your announcement this morning.

My Department became aware of an existing research study by Oxford Economics that was seeking UK-wide funding to examine the potential impacts of a UK exit from the EU under a selection of plausible scenarios. We have now accepted a proposal from Oxford Economics to join its UK study and to have its work extended to Northern Ireland following a formal approach that we made to it during October.

**Mr McKinney:** I thank the Minister. While the Oxford Economics approach is welcome, given the scale of EU assistance to Northern Ireland in agriculture, infrastructure, Peace and innovation, does the Minister agree that the Northern Irish economy would continue to experience a net benefit from remaining in the EU?

**Mr Bell:** The Oxford Economics research study proposes to examine a range of the potential scenarios, not just a simple in/out scenario. The study we have commissioned will look at, for example, the Norwegian option, which is to leave the European Union but become a member of the European economic area; the Swiss option, which is a new settlement as a product of continued bilateral negotiation; the Turkish option whereby the UK would enter into a customs union with the European Union similar to the current arrangements adopted by Turkey; and also complete withdrawal involving a complete repatriation of powers, with the UK's EU trading relationship determined according to the work of the World Trade Organization's most-favoured-nation criteria. We will look at all the specific impacts of these potential exit scenarios in Northern Ireland across issues such as GDP, sector output, trade volume, household spending and unemployment.

**Mr Lyons:** Will the Minister tell us the terms of reference that have been agreed between the Department and the Oxford Economics research group?

**Mr Bell:** We have set them specifically to look at what I have explained; the different options available and the potential impact those will have across the whole range of scenarios. We have to look very seriously at the implications of being in and being out. If we are to be in, then what potential benefits will there be, and, if we are to be out, what pitfalls will there be and what potential successes could we have, such as free-trade agreements and specific economic zones with areas where we

currently do not have them. Let us take all the research and consider it in the round, looking specifically at a range of metrics; GDP, output by sector, trade volume, household spending, employment and unemployment. Comparisons will be made throughout the United Kingdom as a whole. The short paper exercise and access to a database detailing the results are expected to be available to us by the end of this financial year.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answers. I note that there is no firm opinion from him on what his or his party's view is on our future position within Europe. Will he give us an indication of whether he would be willing to support the call for any decision on a referendum here to be binding, so that if the majority of people here vote to stay within the European Union, that is what should happen?

**Mr Bell:** As we are part of the United Kingdom then, legally, we will be part of the United Kingdom when taking part in the United Kingdom referendum. It is the "United Kingdom referendum": the clue is in the title.

**Mr Allister:** Does the Minister agree that it would be liberating for this trading nation, the United Kingdom, to be freed, in consequence of leaving the EU, of the shackles of bureaucracy on our economy and that it would be liberating with regard to the growth markets which are outside the EU in that we would have the free facility to make our own trade agreements where there is growth rather than be tied to the moribund EU economy, which is now down to less than 20% of the world's GDP?

**Mr Bell:** All that will need to be considered in the round. Members have asked me about the DUP's position, and I stand fully behind what Diane Dodds has done. I am not, however, answering questions as a DUP Minister; I am answering questions as the Enterprise, Trade and Investment Minister. We have to take a number of issues into account. There are particular advantages in being part of a market of 500 million people. We have to look at the scenarios that I outlined to see what the benefits are, what brings in the most GDP and employment and what represents the best value for United Kingdom citizens.

We also need to consider the scenarios that the honourable Member pointed out — very well, I have to add — of the potential, should we leave the European Union and look towards what we can do with free trade in some of the world's emerging markets. The honourable Member made those points well; I suppose that we trained you well when you were a DUP MEP.

**Ms Sugden:** I am glad to hear that the Minister acknowledges the pitfalls of being in and out. Given that farming underpins our economy, has he met any farming groups to discuss the impact of a Brexit on that industry?

**Mr Bell:** I have met a number of farming groups on a range of issues. We have to look, for example, towards the common agricultural policy, but we also need expert opinion on what would be available to Northern Ireland farmers if we were not paying money into the European Union. What scenarios could there be? I understand that the agrifood sector is a key beneficiary of EU membership as a trading partner and as the result of direct funding from the sector. I also acknowledge that we exported over £1.1 billion in sales to the European Union, although the exact impact on those sales, according to research, depends on the terms that the UK Government would negotiate

with the European Union on the movement of goods and services.

The UK, including Northern Ireland, would face a departure from the common agricultural policy and its related subsidies and regulations. I know that many local farmers rely on the single farm payment in order to be viable, but we also need to look at the money that would be available for them were we to be out.

## Job Creation

2. **Lord Morrow** asked the Minister of Enterprise, Trade and Investment how he plans to create jobs over the next five years. (AQO 9042/11-16)

**Mr Bell:** The Executive's economic strategy sets out an overarching goal to 2030 to improve the economic competitiveness of the economy through a focus on export-led economic growth, and this will remain our priority going forward. Our most important exporting sector is manufacturing, and, despite the recent bad news about Michelin, the manufacturing sector has been posting strong growth in output and has created over 1,800 jobs in the past year to March 2015. It is interesting to note that the manufacturing sector is outperforming the UK average.

As we look to refocus the economic strategy, we will continue to invest in the key drivers of innovation, research and development and skills in order to create the conditions that will allow businesses in all sectors to grow and prosper. That is how we will contribute to the Executive's collective goal of delivering economic growth, increasing prosperity and creating jobs.

**Lord Morrow:** I thank the Minister for his response. Having listened to it, I suspect that he will agree that manufacturing jobs are the future. He outlined that some 1,800 jobs have been created in the manufacturing sector over the past year or thereabouts. What is his target for the next five years, particularly in the manufacturing sector?

**Mr Bell:** Manufacturing is a vital sector, accounting for 14% of all local economic output. It accounts for one in every nine of our local jobs. Despite the bad news, the output was 3.2% over the year to quarter 2 in 2015, which outperformed the UK average. The latest DETI research on the cost of doing business showed that we are competitive on all costs against the rest of the United Kingdom and the Republic of Ireland but that we cannot compete globally on cost alone.

I am targeting trying to compete for higher-end jobs that require high skills. That is where our competitive edge lies. That is why I am looking to life sciences, agrifood, advanced materials and advanced engineering. I note the success of the Member's constituency in accounting for some 21% of all jobs in manufacturing.

**Mr Lynch:** Does the Minister accept that regional targets need to form part of Invest NI's corporate plan and the Programme for Government going forward?

**Mr Bell:** We have to be careful. All of us want jobs to come to our constituency, and that is natural. I want jobs for Strangford as much as you want them for anywhere else. However, we have to be careful and look at the evidence from the last census: 40% of the people working in all constituencies work in areas outside the parliamentary boundary that they live within. We have to be very careful



because we cannot instruct businesses where to go. Businesses will determine that on that on the basis of whatever factors are in their criteria. We will seek to put the best-case scenario right across Northern Ireland to attract jobs because we are conscious that nearly half of our people work outside their parliamentary boundary.

**Mr Speaker:** My apologies, Mr McGlone. I should have called you as the Chair first. Please accept my apology.

**Mr McGlone:** Tá tú ceart go leor. You are all right. Agus mo bhuíochas leis an Aire chomh maith. Thanks very much to the Minister as well.

Much has been made, Minister, by the manufacturing sector of the need for a more strategic approach and the development of a manufacturing strategy. Has the Minister deliberated on a stakeholder-type approach involving manufacturers, the social and trade union sector and his Department in order to develop a more contemporary manufacturing strategy?

**Mr Bell:** The manufacturing strategy that the five parties, including the Member's, came to was the economic strategy, and DETI's manufacturing strategy is within that. I have met unions, and I have tried to take forward some of their ideas. They have asked me specifically to do things around energy costs, and I think that everyone in the House knows what we did, particularly in relation to Bombardier, our biggest manufacturer.

Sadly, we will never see the truth. I was ready to sign off a three quarters of a million pounds grant investment to Michelin to try to bring its energy costs down. I can work with trade unions on some things; I do not think that other things that they have asked me to do, like appointing additional junior Ministers, would be acceptable to the House. We will work together to support them in the way they are and to continue their growth.

**Mr Speaker:** I inform Members that question 9 has been withdrawn.

## Chinese Government: Ministerial Engagement

3. **Mr Cree** asked the Minister of Enterprise, Trade and Investment what engagement he has had with the Chinese Government in his capacity as Minister. (AQO 9043/11-16)

**Mr Bell:** In June this year, I met Madam Wang Ling, the vice governor of Hubei province in China during her visit to Northern Ireland. The meeting related specifically to our agrifood sector, and I was there with some of our major companies, including Moy Park.

At the beginning of July, I met Madam Wang Shuying, consul general of the People's Republic of China when we addressed the China Healthcare and Life Sciences Roadshow in Riddel Hall at Stranmillis. That was an important initiative taken forward by United Kingdom trade and industry on how we can develop health and life sciences.

Last month, I attended the UK-China business summit at the Mansion House in London, after which a dinner was hosted by the Lord Mayor and President Xi. At that economic summit, the value to the United Kingdom of up to £40 billion of investment was outlined by the Prime Minister, David Cameron, and by President Xi Jinping.

**Mr Cree:** Minister, welcome back. You have been quoted as saying that we are now in what is being labelled the

"golden age" in UK-China relations. Can you explain to us exactly why you say that, how it is "golden", particularly with respect to Northern Ireland, and when we may see direct benefits in Northern Ireland from China?

2.15 pm

While I appreciate your attributing the quotation to me, I was repeating what the Prime Minister, David Cameron, said when he talked about the "golden age" of UK-China relations and the development of the new Silk Road. The Chancellor very wisely said that he wants the United Kingdom to be the European choice of investment for the Chinese Government. There are trillions available, in their foreign exchange and how they invest it, and we want to bring that to Northern Ireland.

Six years ago, Northern Ireland was exporting in the region of £60 million to China. Figures for the last period show that we have raised that to £95.5 million. It is my intention and target to take our exports to China over £100 million by the next period of office.

**Mr Anderson:** I thank the Minister for his responses so far. Can he tell us what potential he sees for the Confucius Institute in Northern Ireland? How does he see that relationship growing?

**Mr Bell:** It is a valuable relationship for Northern Ireland. All the work through Ulster University in the Confucius classrooms is funded through the UK Hanban Institute. I would like to thank the First Minister and the deputy First Minister for their support in helping us to bring that together; Dolores Kelly who, as chair of the all-party group on China and as Chair of the Employment and Learning Committee in that period, helped us to get the initiative off the ground; and Danny Kennedy who, as Minister at the time, supported it. There was also very valuable input from Anna Lo.

What we need to realise is that, according to Goldman Sachs, China will become the world's largest economy somewhere in the 2020s. We have a unique opportunity to work alongside to attract investment to Northern Ireland from what is the world's largest trading economy and which is about to become the world's largest economy.

I am delighted that from the convent school in Omagh to Bangor Academy in my area, to Millburn Primary School in Coleraine, to South West College in Fermanagh, 1,500 of our young people have successfully passed their first qualification in Mandarin this year.

**Mr Dallat:** I thank the Minister for his answers. I freely acknowledge that he is deeply committed to human rights and religious freedom. Can he tell the House on how many occasions he raised those issues with the Chinese Government?

**Mr Bell:** As the Member knows, human rights and foreign and Commonwealth matters are raised by the UK Government, and I fully endorse the position taken forward by them. Anybody who knows me will know that I was a commissioner with the Northern Ireland Human Rights Commission for many years. I passionately believe, in terms of my faith and the principles of being an Orangeman, in civil and religious liberty for all. I will always advocate those principles, no matter which country I am in.

**Mr Speaker:** Mr Paul Givan is not in his place. We will move on.

## McAuley Precision/McAuley Fabrication: Expansion

5. **Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment how the expansion of McAuley Precision and McAuley Fabrication will benefit North Antrim. (AQO 9045/11-16)

**Mr Bell:** Advanced engineering businesses McAuley Precision and McAuley Fabrication are undertaking a £5 million expansion, supported by Invest Northern Ireland, which will cumulatively create 87 new skilled advanced manufacturing jobs in Ballymoney by 2019. The 87 new jobs are planned to be recruited over the next four years, and it is anticipated that they will generate £2.1 million annually in additional salaries in the north Antrim economy.

**Mr D McIlveen:** I thank the Minister for his answer. I am sure that he will agree with me that that was excellent news for the economy of north Antrim. However, he will be aware that, unfortunately, it was a case of the Lord giveth and the Lord taketh away, given the devastating announcement just some weeks later of the job losses at Michelin. Is the Minister willing to meet me, along with stakeholders in the Ballymena and north Antrim area, to discuss a strategy to bring more much needed jobs into the area?

**Mr Bell:** Yes, I am more than happy to do that. The announcement was a surprise to me, and the unions have confirmed that it was a surprise to them.

I pay tribute from this Dispatch Box to the workers specifically at Michelin. Their output was high, and my quarterly report of September showed some of the best figures ever. Unfortunately, through no fault of their own, there was a five million unit reduction in the tyre market, and there were costs associated with Asia and the fluctuation of the euro that were beyond everyone's control at that particular time. I have met unions and workers, and I praise the fact that, on Friday, as I met some of the management, the workers were back on the floor. We have period of two to two and a half years, right through to 2018, to try to get this right, and I will leave no stone unturned to try to bring in jobs to replace what is there.

**Mr Allister:** The news at McAuley's was most welcome and came against a landscape of a succession of less-good-news stories for Ballymoney, where there has been a downward trend in employment. Although the McAuley announcement was somewhat overshadowed by the news from Michelin, it is nonetheless of itself good news for Ballymoney. On the subject of Ballymoney, what can the Minister tell us about planned and scheduled FDI visits to that part of north Antrim?

**Mr Bell:** What we do is this: we go out to companies and try to attract them. When I talk about the specific area, I do not just say, "Look, just come to this town and don't look at anywhere else". I give them the skill set for the area. I get very disappointed when I read in the media about people talking about declining industrial towns and declining manufacturing. I do not take anything away from what happened with Patton, JTI Gallaher or Michelin, but there is a huge good-news story to tell in that particular area, and it is the good-news story of Moy Park, Randox — with its hundreds of new jobs — Schrader and Wrightbus. You would be privileged to sit on a bus in Hong Kong that is made in Ballymena. Therefore, be conscious of the fact

that, according to the census, 40% of us work outside our area. Let us attract the jobs into Northern Ireland. We have a golden opportunity through reducing our corporation tax to make ourselves competitive and to bring in tens of thousands of new jobs.

## Bombardier/Airbus: Talks

6. **Mr Ó hOisín** asked the Minister of Enterprise, Trade and Investment for his assessment of the aborted talks about the deal between Bombardier and Airbus. (AQO 9046/11-16)

**Mr Bell:** It was a pleasure to meet Bombardier senior management during my visit to Canada. Although Bombardier faces challenges, its management team is confident that those can be overcome and that sales will follow. It would be wrong to speculate further on the potential outcomes of Bombardier's commercial decisions. I welcome the recent Bombardier announcement of the Quebec Government's plan to invest \$1 billion in the CSeries. All of us should view that as a very positive development.

Bombardier Aerospace is a major contributor to the manufacturing economy. It has a workforce of almost 5,500, and all of us know that it is a vibrant supply chain right across Northern Ireland. Bombardier Belfast supports almost all the company's aircraft programmes, and it provides advanced engineering services to a number of third-party customers. Therefore, it was a very positive meeting, and we are very upbeat about the future of a quality product in the CSeries.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Given what the Minister termed as the "surprise" collapse of Michelin, can he guarantee that he will monitor the situation here so that we do not have any further nasty surprises?

**Mr Bell:** I cannot guarantee that what happened with Michelin can never happen again, and nobody in the House can give that guarantee. What I can guarantee is that we will do all in our power to ensure that it does not happen. What we had at Michelin was almost monthly visits from Invest Northern Ireland. We put in about £4.75 million of taxpayers' money to support the jobs that were there, and we put in training support. On the specific issue of energy, we tried to act where we had the tools to act, and that was with a £750,000 grant to support them in using renewables to bring their energy costs down.

We are keeping a watching brief across a number of areas that are finding it difficult. We have people — in many cases, Invest Northern Ireland — going in monthly. We are also receiving, in many cases, reports — sometimes quarterly reports and sometimes monthly updates — on specific areas. We will do all in our power to protect the manufacturing sector.

**Mr Dunne:** I thank the Minister for his answers today. Does he recognise — I know that he has mentioned it — that Bombardier is leading in cutting-edge technology in composite engineering? Does he recognise the good work that Bombardier is doing in looking at alternative energy sources, especially in the renewables sector?

**Mr Bell:** Bombardier is doing excellent work. I saw the CSeries in production and saw the busy factory floor and the aircraft being assembled in the final stages

of production, and I want to congratulate the entire Bombardier team. They can be very proud, as the Member rightly says, of the CSeries. There is a great sense of pride across Northern Ireland to see wings that have been built in Belfast being attached to what is a game-changing aircraft. There will be challenges, but the management team is confident that those can be overcome and that more success can follow.

What have the Government done? I brought legislation to the House specifically to give the reassurance that was necessary to the investors about their renewable plant, which is valued at well over £100 million, and I am delighted to see that the other finance has now stacked up. We look forward to seeing the reduction, which could mean up to a quarter of energy costs reduced for our largest manufacturer.

**Mr Ó Muilleoir:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister and commend him on his visit to Bombardier in Quebec. Of course, we all echo the support for Bombardier at this time. Minister, do you agree with me that, in light of the commitment of the Quebec Government through the \$1 billion invested in Bombardier, there are lessons there for all of us here about getting behind our industries, particularly our manufacturing industries, in this part of the world?

**Mr Bell:** Yes, I want to fully get behind them. I met one union initially and have had a series of meetings with Manufacturing Northern Ireland. I attended its programme here in Parliament Buildings, where we celebrated the manufacturing industry. We heard the good news that some of the things that we have done in the House have been game changers and are not available anywhere else in the UK. That has supported the manufacturing industry. That is why I think we are seeing growth. I am open to ideas. I will continue to meet manufacturers. I spent a period with the Chamber of Commerce in Magherafelt, with the huge success of SDC Trailers, but I also took the opportunity to meet dozens of people from the manufacturing sector and Manufacturing Northern Ireland. I want to salute them for the growth that they have already achieved, and I will certainly apply whatever is in my toolbox to help it go forward, because we want those jobs and that growth in the manufacturing sector.

**Mrs McKevitt:** In your previous answers, Minister, you did not want to speculate much on the \$1 billion bailout of Bombardier and the proposed aid from, I think you said, the federal Canadian Government. Has the Minister made an assessment of the threat to manufacturing jobs in Belfast due to the impact on Bombardier of the loss of the market share to the Chinese state-owned aerospace companies?

**Mr Bell:** Bombardier has made a huge commitment to Northern Ireland. I think that we want to be a little bit careful before we use words like "bailout", because I am not sure that it accurately reflects what has happened. When you bring an aircraft into production, there are huge challenges. I have looked at the Bombardier chart in Canada for airworthiness and all the checks that it has to make, and it is fully confident that it can get entry into the market by the second quarter of 2016. I will not speculate on potential sales or potential discussions and joint ventures, because there is a need for commercial sensitivity.

What I can tell you is that the management are confident that those challenges can be overcome and that they will successfully enter the market in the second quarter of 2016 with a brilliant aircraft, with its wings made here in Northern Ireland, with all the support that gives to the supply chain. I am confident that it will be successful.

**2.30 pm**

**Mr Speaker:** That is the end of the period for listed questions. We now move on to topical questions.

## VAT: Tourism Businesses

**T1. Mr McCallister** asked the Minister of Enterprise, Trade and Investment whether he will concede that a reduction in the rate of VAT in Northern Ireland for tourism businesses is unlikely to happen, given that he will be aware that the Northern Ireland Select Committee is considering that issue, and to state what other policies he would like to put in place if that differential is not established. (AQT 3101/11-16)

**Mr Bell:** I do not accept that, just because in a reserved matter people think it less or more likely for us to achieve something, we should not continue to make the argument that we need to achieve it. Our hospitality and tourism sector is going from strength to strength. Figures recently released showed that our tourism is up. We have set ourselves a target of a £1 billion tourism industry by 2020. Major events will do that, such as the Open Championship coming to Northern Ireland, which is good news. As the Member will know, the only times that the Irish Open sold out were at Royal Portrush and Royal County Down, with a staggering 107,000 paying spectators. Just think how that bodes for the Open coming to Northern Ireland. We will continue to make the argument for a reduction in VAT because the case can be well made, and we will continue to support the sector to achieve that £1 billion target.

**Mr McCallister:** I am grateful to the Minister for his reply. The other issue that tourism faces is cuts to the arts: does he feel that that is a difficulty? While I accept that the Irish Open was a huge success at Royal County Down, the other challenge, particularly in a constituency like South Down, is growing tourism, making it sustainable, having jobs and increasing tourism spend. He needs to address all those things. How does he propose to address some of them?

**Mr Bell:** The first thing in growing tourism is for the industry to look at tourism and hospitality as a career choice from the outset and give it the status that it deserves as an industry that provides a similar number of jobs in Northern Ireland to agriculture. The first thing that you want to do is ensure that you have your skills base right. Tourism research informs me that people remember the people they meet at the first point of contact, and we must make sure that they are properly skilled. The second thing is your tourism offering. We have a huge offering from the creative industries, and you mentioned the arts. There is "Game of Thrones", which is HBO's most successful series, right through to golf tourism and the beauty of the geography of Northern Ireland, particularly in areas such as the Mourne mountains. All in all, we need to thank the industry for the 2% increase in visitor numbers that it achieved in the first six months of this year.

## Michelin Job Losses: Government Support

T2. **Mr Lyons** asked the Minister of Enterprise, Trade and Investment, in light of the news last week about Michelin, which was devastating not only for north Antrim but for many people in the East Antrim constituency, for an assurance that his Department will continue to work with Invest NI, Mid and East Antrim Borough Council and the Department for Employment and Learning to ensure that support is available for workers at the Michelin plant, not only in the next few months but up to 2018 and beyond. (AQT 3102/11-16)

**Mr Bell:** Yes, I can give that assurance, and we have already started. I place on the record my thanks to Stephen Farry, the Minister for Employment and Learning, who, on hearing the news, was immediately in my office. We spent several hours together discussing with the mayor and the chief executive of the council what we could do and what Invest NI support could come to the council. We acknowledge the work of the Michelin management team in ensuring that people will not be out of work until 2018. Their hope and ambition, which is an ambition that everybody in the House should have, is that those people can leave work and go to another job with a healthy pay cheque in their hands. What we have to do now is reduce our corporation tax, set the date on which we will do that and attract the 30,000-plus new jobs that are available to Northern Ireland.

**Mr Lyons:** I thank the Minister for his answer. There has also been an awful lot of good news in East Antrim recently. The Minister visited my constituency on Friday and was able to see the excellent work of businesses and a social enterprise there. We now have the Gobbins visitor attraction, which he has also been to, so we have much positive news as well. Can the Minister tell the House how many jobs have been promoted in East Antrim during this Assembly term? What can Invest NI do to ensure that employment can continue to grow in my constituency?

**Mr Bell:** Mr Lyons will be proud to know that, at one point in the history of Northern Ireland, the Gobbins cliff path was more successful in attracting tourists than the Giant's Causeway. I can see huge potential for what can be done there in the future. On the specific question on jobs promoted in East Antrim, there have been 672 external, with 33 in the last period. In East Antrim locally, from 2011-12 to the forwarding period, we have had 458 and 119. The number of jobs promoted in the East Antrim parliamentary constituency from 2011-12 to 2014-15 sits at 1,130, with 152 in the last period.

## Wind Energy

T3. **Ms Hanna** asked the Minister of Enterprise, Trade and Investment, now that the NIRO consultation has ended, to outline what conversations he might be able to have with the Department of Energy and Climate Change across the water about the future of wind energy in Northern Ireland. (AQT 3103/11-16)

**Mr Bell:** I was very disappointed that, having consulted the coalition Government and set out our figure for 2017-18, a Conservative Government stepped in and immediately changed it with respect to wind. They changed their position; we did not change ours. In response to that, I tried to support farmers, I tried to support small-scale industry and I tried to support large-scale industry.

However, it fell at the first hurdle in the House, with some Members telling me, "We will not allow you to spend one penny extra in Northern Ireland". Subsequent to that, the Department of Energy and Climate Change (DECC) changed its position. In its changed position, DECC allowed us to bring across over 90% large-scale and a significant number of small-scale. Others were to follow, and we could socialise the costs across the whole of the United Kingdom. I will continue to do what I can for small-scale in conversations. We are in detailed discussions and correspondence with DECC, but I also have to be conscious of the cost of energy to the Northern Ireland domestic user and to industry.

**Ms Hanna:** With all that in mind, does the Minister regret his earlier statement about the certainty of that funding, which gave considerable comfort to small-scale producers? I appreciate that there are mitigating circumstances in the UK-wide context, but can he outline what, specifically, he will be able to do to help that sector recover?

**Mr Bell:** I am seeking to ensure the best outcomes in cost to the consumer and the number of megawatts that can be achieved. I have to take DECC's changing position into account. It took position a, and I responded to position a in the best interests of Northern Ireland and supported the small-scale. I tried to put it through the Committee of the House, and the Committee rejected it. Then, when DECC came up with position b, I tried to look at what was in the best interests of Northern Ireland for the industry and for the domestic consumer. Energy is devolved, but costs are socialised. We need to take into account the three parts of what is known as the energy trilemma. You cannot go just for any one sector: you have to look at security of supply. We need to get the North/South interconnector up and running, as we are missing out on £20 million savings because of the circumstances of that project. However, we will always have to look at cost and at people's ability to pay.

## Energy: Meeting with Amber Rudd

T4. **Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment whether, given his previous comments and previous meetings with Amber Rudd from the Department of Energy and Climate Change (DECC), he would be willing to meet her again. (AQT 3104/11-16)

**Mr Bell:** I will meet her any time, any place, anywhere, but Amber Rudd was a Minister in the previous Government. The present Prime Minister was Prime Minister in the previous Government. As a result of discussions that my predecessor had with them, we went out to our industry and said that the date is 2017, with a grace period to 2018. When the Conservative Government came into power, they moved the goalposts in Northern Ireland, and everything that I have done subsequent to that and to DECC's change of position is to try to drive forward a position that can ensure that the Northern Ireland consumer — the business customer — gets best value at minimum cost.

**Ms Maeve McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his clarity and welcome the fact that he intends to meet Amber Rudd again. Do I take that as a declaration of his intent to go in and fight for those people who are clearly losing out?

**Mr Bell:** People in my constituency borrowed money against their own homes to go for renewables on the basis of what



DECC had allowed Northern Ireland to do in the terms of its consultation. I am acutely aware of their needs, and, when the record of this period is written, they will see that, when Amber Rudd changed her position, I tried to put legislation specific to Northern Ireland through the House. The Enterprise, Trade and Investment Committee turned down legislation that I was seeking to introduce for farmers and small-scale users. When Amber Rudd changed her position again, I tried to nuance the position, and the Committee again turned down proposals for small-scale users and farmers. I am in discussion with Amber Rudd, in writing and through my officials, to see what we can do for those people, but I can only do what is realistic and introduce legislation that the Committee allows to go to the Floor.

### Energy Legislation: Committee Position

T5. **Mr McGlone** asked the Minister of Enterprise, Trade and Investment at what point he believes that the Committee rejected legislation, given that, at no point did it reject legislation and, on two occasions, it sought further clarification, albeit that, if the Minister is so unaware of that, that makes for a worse situation, given the two preposterously bad evidence sessions that the Committee held on the matter. (AQT 3105/11-16)

**Mr Bell:** I am fearful when a Committee Chairman has to ask a Minister what his own Committee did in terms of delay and getting legislation through. Members of the Committee, including the Chairman, have adopted different positions at different times. One cannot be a chameleon and change colours depending on who we are talking to. The Chairman of the Committee cannot be like a cushion, simply bearing the imprint of whoever sat on him last. We did not change our position. I brought legislation to the Committee, and it got delayed and did not go through. I nuanced it and tried to bring additional information, but it got delayed and did not go through. I hope that farmers look to that Committee to see what could have been done, had it followed the advice that I originally gave it. Those people who are losing out — Members may laugh — should take a close look at the work of the Committee.

**Mr McGlone:** That is very good. It is good to have a Minister who lives in a parallel world. I invite him to look at Hansard and the public record. On a unanimous cross-party basis, the spotlight shone very firmly on his Department, and its shortcomings were incredibly crass. Is the Minister prepared to be part of the solution, which, on a cross-party basis and with the agreement of all parties, we have sought to bring with his cooperation, which is not great today?

**Mr Speaker:** I am glad that you could find a question.

2.45 pm

**Mr Bell:** Sadly, the Chairman is not across his brief on what occurred. When we tried to do what we said we would do in Northern Ireland, it did not go forward. I agree that there was a cross-party basis for not taking it forward. My understanding, when I sat down with the Chairman in my room upstairs and pleaded the case for small-scale farmers and others who are suffering today — many of whom borrowed against their house — is that he was supportive. Then, in the Committee room, the position was completely different. In fact, I was told that Northern Ireland would not allow one single extra penny. You saw

the work of the Committee. It is a matter of record what I brought to the House. It is a matter of record how DECC changed its position. I am more than happy to stand with anyone and look at what DECC proposed, what it changed, and how, in every single case, I looked at what was in the best interests of Northern Ireland as a whole.

**Mr Speaker:** Thank you. Time is up.

## Environment

**Mr Speaker:** I inform Members that questions 8 and 12 have been withdrawn.

### Councillors: Code of Conduct

1. **Mr McAleer** asked the Minister of the Environment when the review into the Northern Ireland local government code of conduct for councillors will be completed. (AQO 9055/11-16)

**Mr Durkan (The Minister of the Environment):** Go raibh maith agat, a Cheann Comhairle. I have appointed the chair of a working group that will shortly commence a review of the Northern Ireland local government code of conduct for councillors. The working group will review the principles in part 3 and the rules on decision-making in part 8 by February 2016. I will consider the outcome of the review and any proposed changes to the code of conduct prior to consultation.

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

It is important that the local government sector has an opportunity to put forward its views on the code, and the working group will engage with key stakeholders and invite them to give their views in writing or at a stakeholders' engagement event. The review will be completed, and consultation on any revised code of conduct will commence during the current mandate. However, I have asked the chair of the working group to seek the views of key stakeholders on the possibility of shortening the timetable for the review to enable the consultation to be completed and the revised code put in place during this mandate.

**Mr McAleer:** Go raibh maith agat. I thank the Minister for his answer. Is the Minister confident that the anomalies in part 8.1 of the code will be rectified in a way that enables councillors to interact lawfully with one another?

**Mr Durkan:** I thank the Member for his question. Part 8 has caused the most consternation and, indeed, I think it fair to say, confusion among councillors and NILGA, their representative body. Many of the issues revolve around the fact that it can be interpreted as diluting or emasculating their performance as elected representatives. The concerns expressed were that councillors would not be allowed to organise support for, or opposition against, a particular recommendation or matter being considered; they would not be allowed to lobby other councillors on a matter being considered or not to comply with political group decisions on a matter being considered where the decisions differed from a councillor's own views. Further, they would not be allowed to act as an advocate for, or promote, a particular recommendation in relation to matters being considered. Basically, councillors would not be allowed to be politicians or public representatives. The working group will look at each of these concerns, and part

8 in general, and I look forward to receiving its comments. Clearly, I am hopeful and confident that these issues will be resolved.

**Mr Campbell:** Can the Minister assure the House that, when the reviewed code of conduct sees the light of day, we will not have a repeat of the current position that at least one councillor in Northern Ireland, in Londonderry and Strabane, has not only been convicted of a criminal offence but has repeatedly not only refused to condemn terrorist incidents but expressed his support for dissident republican activity? I am sure that the Minister is well aware of whom I speak. That person remains an elected representative and is not seen as having breached the current code of conduct.

**Mr Durkan:** I thank the Member for his question. The aspects of the code that are being reviewed are in parts 3 and 8. I have described in detail the implications around part 8, which pertains to decision-making by councils and councillors. Part 3 deals with principles, and that will hopefully address some of the concerns that the Member has raised. I cannot pre-empt the outworkings of a review, but it will go out to consultation and the Member and party colleagues will have an opportunity to take part in that consultation.

**Mr Cree:** Minister, while it is essential that we have a workable code of conduct, do you agree that it is important that the content of that code or protocol should not become a tool for vexatious purposes by political opponents?

**Mr Durkan:** I thank Mr Cree for that question, although I am sure that no political opponents would stoop to such depths as to use what is written in the code as a means to attack or detract from a political opponent. I think that it is vitally important that all members adhere to what is written in the code and also to what is not written with regards to the respect with which they treat their fellow politicians and members of the public.

**Mr Allister:** Will there be any opportunity to write into the code an obligation on councillors to request and receive allowances only to their personal accounts, in order to end the abuse that is presently ongoing with Sinn Féin councillors in some areas? If that cannot be done within the code, how will the Minister deal with that abuse?

**Mr Durkan:** I thank Mr Allister for that question; again, I am aware of the situation to which the Member refers. However, I fear that this review will not provide an opportunity to address that anomaly that he quite rightly identifies. Both primary and subordinate legislation clearly state that councillor allowances are payable by councils directly to councillors. The relevant legislation is contained in Part 3 of the Local Government Finance Act (NI) 2011 and in the Local Government (Payments to Councillors) Regulations (NI) 2012.

In light of the recent court proceedings, my officials wrote to all district council chief executives to remind them of this legislation, but the legislation is silent on which bank accounts councillors' allowances must be paid into. I have written to council chief executives on the matter, and I will speak to them all about it in the near future. Whereas the Assembly has the power to investigate whether an account number given by a Member is actually a personal account, councils do not have that investigative duty or power.

## Neighbourhood Renewal/Regeneration Powers

2. **Ms Fearon** asked the Minister of the Environment whether neighbourhood renewal and regeneration powers will be transferred to councils in April 2016. (AQO 9056/11-16)

**Mr Durkan:** Thank you —

**Mr Principal Deputy Speaker:** I am sorry, Minister. I understand that there has been an administrative error within the system. I understand that you were informed that the question had been withdrawn. The Member was not informed that the question had been withdrawn and that another Department may well answer the question.

I call Mr Trevor Lunn.

## Natural Environment Fund

3. **Mr Lunn** asked the Minister of the Environment whether he has secured the continuation of the natural environment fund after May 2016. (AQO 9057/11-16)

**Mr Durkan:** Conscious of the difficult operating environment and the fact that current funding arrangements finish on 31 March 2016, I had indicated that I would urgently consider the development of appropriate funding mechanisms to enable third parties to deliver key environmental outcomes from April 2016. I have listened to the views of stakeholders, who particularly sought certainty on funding and multi-year funding, and I today announce a new environment fund that will cover two years, with possible extension for a third year. Funding will be allocated for the next financial year, 2016-17, with the potential for funding in future years subject to future Budget decisions made by the Northern Ireland Executive and Assembly. That is a broader fund than the previous natural environment fund. The new fund will cover the delivery of a wider range of key environmental outcomes under two broad themes: ensuring good habitat quality, landscape and species abundance and diversity; and the promotion of health, well-being, resource efficiency and sustainable economic development, realising the full value of our environment. It will provide a more comprehensive, transparent and consistent funding mechanism by which the majority of environmental outcomes can be delivered by third parties under grant aid.

Alongside the environment fund, I have also recognised that the Department will continue to need to develop additional mechanisms to support the delivery of environmental priorities in 2016-17, and beyond, via funding to third parties.

**Mr Lunn:** I thank the Minister for that comprehensive answer. It is quite a coincidence that he should launch the fund on the same day as I ask that question, but he has completely killed any opportunity for a supplementary question. Thank you very much.

**Mr Flanagan:** I will be honest: I was not really listening to the Minister's answer, so I do not know whether he has answered my question or not, but I presume that he has not, because I am asking him about something else. Can he give us an update on the scheme announced in June, similar to the plastic bag tax? He proposes to bring in a deposit-return scheme for bottles. Can he give us any update on that off the top of his head?

**Mr Durkan:** I thank the Member for the question, although the link is quite tenuous. I think the Member gave that away himself by saying that he had not listened to my previous answer but was going to ask me about something completely different anyway.

I floated the idea of introducing something along the lines of a deposit-return scheme for drinks containers — bottles, largely — at the start of the summer, and since then my officials have been working on it. We have been looking at and learning from other jurisdictions. Scotland ran a pilot on it, and we are now looking at the results of that pilot. It is something that I will be speaking about to my counterpart — counterpart, sorry; that is another vessel — counterpart in Scotland, Minister Lochhead, in January when I visit him. I see great opportunities, not just for our environment, but for collaboration with other jurisdictions. There will be considerable outlay involved if we are to proceed with that scheme, but I believe that the expense of the initial outlay can be offset and greatly reduced by collaborating with Scotland and, potentially, the Irish Republic.

**Mr Rogers:** Minister, thanks for your answers thus far. What will the total value of the fund be? Will you ensure that funding will be available to ensure the effective management of areas of outstanding natural beauty like the Mournes?

**Mr Durkan:** I thank the Member for that question. As yet, we do not have detail on how much will be available; I am working on that with officials. It is vital that those organisations have certainty as early as possible. They will be able to apply from this week. I intend to open applications from Thursday, and they will have a month, up until 10 December, in which to apply. In the meantime, we will work on how much money we can make available from the fund. As the fund is broader than the natural environment fund that I established this year, I hope that the pot will be bigger in terms of finance available as well. It will also be broader in that it will be able to assist groups like those the Member referred to that ensure the effective management of areas of natural beauty such as the Mournes.

It is worth underlining that, even this year, with an extremely challenging budget outcome for my Department, over half a million pounds was allocated to various environmental NGOs to continue to provide a full range of environmental and visitor management for areas of outstanding natural beauty. Indeed, it was mainly for the Mournes area. I can also confirm that those organisations will be able to apply for funding from the new environment fund that I have spoken of today.

**Ms Lo:** I am sorry for my voice today.

I am absolutely delighted with the Minister's announcement, and I am sure that the sector is very reassured by it. I understand that the Minister has said that he is still working out what money there will be. What about the built heritage sector? Will it be protected, too? Will it be assured of further funding from that pot?

**3.00 pm**

**Mr Durkan:** I thank the Chairperson of the Environment Committee for that question, which is indeed very topical, given 'The Detail' report that, I believe, was given comprehensive coverage on the BBC's 'Talkback' today.

Regrettably, built heritage projects will not be able to avail themselves of the environment fund that we are talking about. However, I very much value our built heritage, and the funding that I was able to provide to it in the previous financial year is indicative of that. That should be looked at, rather than how much I was unable to provide in that direction this year.

Under the restructuring of Departments, the function of built heritage will go in a different direction to that of environment and will lie in the new Department for Communities. However, it is extremely important that its importance and value be recognised. Built heritage plays a massive role in promoting our economy and, indeed, the health and well-being of our citizens.

I have spoken to officials about built heritage's importance, and they recognise its importance. It has frustrated my officials in the Northern Ireland Environment Agency (NIEA) greatly that the only money that we were able to allocate to built heritage this year was through the carrier-bag levy. We were able to allocate almost £600,000 to buildings that were deemed to have a community function or benefit. I am aware of a number of buildings of great value out there that really need work done on them. We are working on finding a way in which to do just that.

## Planning Applications

**4. Mr McQuillan** asked the Minister of the Environment to outline the criteria used when making the decision to call in a planning application. (AQO 9058/11-16)

**Mr Durkan:** Since April 2015, district councils have been responsible for determining the vast majority of planning applications. Under the reformed two-tier planning system, applications for local and major developments are submitted to, and determined by, local councils, while applications for regionally significant developments are processed and decided by the Department.

The Planning Act also allows the Department to direct that any planning application be referred to it instead of being dealt with by a council. In recognising and respecting the important role of councils in making decisions on the future development of their area, I envisage that call-in power being exercised only in exceptional circumstances. I believe that councils, with locally elected and accountable representatives, are best placed to take the key decisions about the future growth and development of their local areas and communities. However, there may be circumstances in which a proposed development raises issues of such regional importance or strategic interest that the application should be called in so that the Department can in effect take over the role of decision-maker.

My Department has published guidance, 'Notification and Call In of Applications', which highlights the legislative procedures to be complied with by district councils when notifying the Department on all types of applications, including potential call-in cases, and provides an indication of the matters that may be considered by the Department when deciding whether an application should be called in. Those include considering the relevant development plan; the opinions of statutory consultees; the national importance of the proposal; the relationship of the proposal to a regionally significant application; the significance of the development to the whole or part of Northern Ireland; and any potential significant effects that a proposal may

have outside Northern Ireland. Each case will, however, be considered on its own merits, and the fact that a particular development proposal may be complex or controversial will not necessarily mean that it is of strategic interest or regional importance.

**Mr McQuillan:** I thank the Minister for his answer. Minister, you recently called in the application of the Cam Burn wind farm, which is causing a bit of a breeze in my constituency. You issued a notice of an opinion to approve, which is at odds with the views of the local council. What happens next with that application?

**Mr Durkan:** I thank the Member for that question. There has indeed been some attention around my decision to call in this application and to approve it. I have written to the council not only to outline my decision to approve it, and the rationale behind that, but to inform the council of its next steps. The council has 28 days during which it can ask for a hearing on my decision, in effect. Should it choose to do so, that hearing will be held by the Planning Appeals Commission (PAC), which will give its determination on the application. However, the final decision will ultimately come back to me. Should the council wish to go down that route, and the PAC decides that I was wrong, the decision would come back to me and I could reverse it. I am very doubtful that the PAC would find that to be so, and the decision would come back to me either way.

**Mr Swann:** Minister, when you say that you doubt that the PAC will change that, have you already made up your mind? So, is there no point in members of the Causeway Coast and Glens Borough Council coming to you? If you are saying in the Chamber today that you have made up your mind, you have breached that entire process. By calling in this planning application, you have undermined councillors on the council's planning committee. It was disgraceful that the chief planning officer in that area and the chair of the planning committee found out about your decision through the BBC.

**Mr Durkan:** I thank the Member for that question. However, I correct him by saying that I have not breached any process or procedure. I share his disdain about the manner in which elected representatives found out about this decision. I do not know how the BBC got hold of this so quickly, and I place that on record.

The council now has a chance to ask for a hearing. I am not saying that I would overrule the PAC, should it come to a different view to mine. However, I am saying that it would have to come back to me, and I very much doubt that the commission would come to a different conclusion than have I, given that council and DOE planners thought that this was a nailed-on approval. I may have done the council a favour in some respects.

I caught the end of Minister Bell's Question Time, and there was something around the Northern Ireland renewables or renewables obligation certificates (ROCs) situation here. Given its failure to issue an approval to what, I think, is a blatantly approvable application that it might have stopped or stymied, the council could have left itself in a precarious position and open to not just a planning appeal but further legal proceedings.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. It appears that when you mention the word renewables in this place, you have to get things firmly on the record or, when you meet a Minister, make

sure that you have someone to take an independent minute, as I did.

Will the Minister outline what progress has been made towards meeting the Programme for Government renewable energy targets, as his Department fits into that?

**Mr Durkan:** I thank the Member for that question. The Programme for Government targets are a material consideration when dealing with or processing any planning application. The Member will be aware that I published the strategic planning policy statement, the SPPS, on 28 September. It consolidates, updates and improves the policy context of the suite of planning policy statements (PPS), including PPS 18 on renewable energy. The aim of the SPPS in relation to renewable energy is:

*"to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland's renewable energy targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance."*

The SPPS will, inter alia, continue to support and contribute to the renewable energy target of 40% of electricity consumption here in the North from renewable resources by 2020, as set out by the Executive and indicated in DETI's strategic energy framework. Furthermore, DETI has advised that the Executive's 2015 Programme for Government target of 20% renewable energy generation is being met.

**Ms Sugden:** I will bring the issue back to where we started. Does the Minister concede that his initial decision to approve Cam Burn wind farm was ill advised, given the planning legislation, and that, since I submitted two priority written questions, which he is yet to answer, he has done a quick U-turn to abide by the law?

**Mr Durkan:** I look forward to reading that question again in Hansard. I have not conceded anything; I have outlined what the council could do, should it wish to challenge my decision, which, let me state clearly, is, I believe, the right decision and is a legal decision.

I have also answered a priority question from the Member. She may not have received the answer yet, but I have answered that question. I am taken aback by her, shall we say, recent interest in this planning application. The planning application was in the Department for a considerable time and has been with the council for six months or more, yet the first the council or I heard from the Member on it was after she learned about it on the BBC.

## Road Safety

5. **Mr McKinney** asked the Minister of the Environment to outline what action he is taking to address the rising numbers of fatalities and serious injuries on local roads. (AQO 9059/11-16)

**Mr Durkan:** The number of road deaths in 2015 is a serious concern, and I extend my sympathy to those who have lost loved ones and those who have suffered life-changing injuries. So far this year, 61 people have died, compared with 69 at the same time last year.

At the beginning of the year, severe cuts were made by the Executive to my Department's Budget allocation. Despite the very challenging financial position, I was able to



allocate just over £1 million to road safety communications, grants and educational materials. In recent weeks, I have been able to supplement that with a further £184,000 through internal reallocations. Despite the regrettable 50% reduction in the road safety budget, my Department continues to take a range of actions to reduce deaths and serious injuries on our roads. We focus on problem areas, such as drink-driving, speeding and carelessness and inattention and on groups that are over-represented in the casualty figures. Those areas are the key focus of the Road Traffic (Amendment) Bill, which completed its Consideration Stage in June. I will shortly bring the Bill back to the Assembly to conclude its legislative passage.

In March, I launched a new motorcyclist safety campaign, and in June I launched the 2015-16 road safety grant scheme, through which I have approved funding for 15 projects across the North. Also in June, I launched a road safety community toolkit to give local voluntary groups all the resources they need to organise events, bringing road safety messages into the heart of local communities. Also in June, I rolled out the safe driving teaching aid, enabling driving instructors to address road safety with learner drivers. My Department also continues to provide a range of resources and schemes to be used by teachers to allow them to improve road safety behaviours in children and young people.

I assure you that I remain fully committed to continuing to work with my Executive colleagues, the PSNI and other stakeholders to improve road safety and reduce casualties.

**Mr McKinney:** I am sure that the House joins the Minister in recognising the deep pain felt in families and communities as a result of such tragedies. Will the Minister further outline what action will be taken to target vulnerable road users, such as younger people and older people?

**Mr Durkan:** There are many activities being carried out through the Department's mix of channels to address vulnerable road users. Through its social media activity and TV, radio and outdoor advertising, the Department regularly reminds drivers to give extra consideration to children, older road users and those with less protection, such as pedestrians, cyclists and motorcyclists. Messages also address vulnerable road users to increase their own safety, as they share the road with motorists, by wearing high-vis vests or coats, crossing at a safe place and obeying the rules of the road as advised in the Highway Code, amongst others.

My Department provides a range of resources and schemes to be used by teachers to allow them to improve the road safety of their pupils. The initiatives include, among others, the road safety teaching aid calendar, the enhanced cycling proficiency scheme, the junior road safety officer scheme and education packs. They have been very well received, and, for the most recent initiatives, early indications show a positive response.

### 3.15 pm

Through various channels, the Department reminds parents that it is their responsibility to ensure that children are properly restrained when travelling in vehicles. As I said in my original answer, I have recently approved funding for 15 road safety projects through the road safety grant scheme. Two of the projects address older road user safety, which is one of my road safety priorities. I have,

therefore, approved additional funding for each project to extend their coverage to an even wider audience. One project addresses the importance of fitness-to-drive through drama. The second will deliver a comprehensive training package on alcohol and drugs awareness and hazard identification and will provide a series of driving assessments for older people.

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We now move to topical questions.

## Local Government Reform: Cost Review

**T1. Mr Ó hOisín** asked the Minister of the Environment whether he sees merit in a financial review of the cost of local government reform, particularly considering that the transfer of functions, such as the planning portal and some off-street car parks, has been estimated by NILGA as costing somewhere in the region of £100 million, which could hardly be considered to be cost-neutral to councils. (AQT 3111/11-16)

**Mr Durkan:** I thank the Member for his question. It was always anticipated that, as we approached local government reform and the Assembly voted for it, there would be significant costs in the beginning but that, when offset against the savings that would be yielded in the medium to long term, they would pale into insignificance. I am aware of major concerns felt by and across local government on some of the issues that the Member has referred to. The problems regarding the planning portal are a lot less than they are with the transfer of off-street car parking. The responsibility for that lies, ultimately, with the DRD; it transferred that function. However, in my opinion and that of local government, the budget that transferred with the function was nowhere near adequate.

As regards a review, I will continue to work with local government, chiefly through the partnership panel. I will also meet a group of chief executives of the new councils tomorrow. I will be happy — well, I will not be happy, but I have no doubt that I will hear more from them on the issue tomorrow and through the various fora in which I engage with them. Local government knows that it has a friend in me. I will do everything I can to persuade my Executive colleagues to ensure that local government is adequately resourced to fulfil its new duties and provide good services for ratepayers at good value.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I welcome the fact that the Minister has said that he will work in partnership. I hope that he does so, particularly through NILGA and SOLACE. He agrees that, regarding the transfer of functions, there have been discrepancies between the cost impacts on councils and those projected by DOE and other Departments.

**Mr Durkan:** I thank the Member for that question. I slated another Department — I can speak about it, but I cannot really speak for it. I can speak about the DOE and the function that we transferred: planning. I took a brave and bold step; it was unique among Ministers or those with responsibility for Departments that were transferring functions. Early in the previous financial year, I ring-fenced the budget for planning that was to go to local government so that it would not be impacted by the in-year cuts that Departments were facing. As a result, I had to make bigger cuts in different areas of my Department. That was based

solely on my belief that the functions should be transferred at a point that was cost-neutral to the ratepayers in the new councils. I came up to the mark on that one. I am aware that some issues have arisen around planning, but, like I said, they are minuscule in comparison with some of the other issues facing local government. However, that does not diminish my appetite to resolve them.

### Wind Farms:

#### Areas of Outstanding Natural Beauty

T2. **Mr Rogers** asked the Minister of the Environment to outline his views on the development of wind farms in areas of outstanding natural beauty, given that wind farms are a very topical issue. (AQT 3112/11-16)

**Mr Durkan:** I thank the Member for that question. Wind farms are, indeed, very topical this afternoon. Following the transfer of the majority of planning functions to local councils, the determination of most wind energy proposals falls to councils, as we discussed. As such, my Department's strategic planning policy statement (SPPS) requires that the environmental, landscape, visual and amenity impacts associated with or arising from renewable energy development are given proper consideration and that adequate protection is afforded to the region's natural and cultural heritage features.

While planning policy does not rule out wind farm development in areas of outstanding natural beauty, it is a key policy objective to ensure that the environmental, landscape, visual and amenity impacts of such developments in such sensitive areas are fully considered before any decision is reached. In addition, the SPPS makes clear that a cautious approach to renewable energy development proposals will apply in designated landscapes that are of significant value, such as areas of outstanding natural beauty. That is one area in the SPPS on which we have actually strengthened policy and made it less permissive. I know that that was the view among Members, which came across very strongly in the Environment Committee's report on wind energy. I responded to that and tightened it up in the SPPS.

**Mr Rogers:** I thank the Minister for that. What is his view on the proposed wind farm development in the Mourne's?

**Mr Durkan:** I thank the Member for the question; he is bringing it back to the Mourne's again. An application for Gruggandoo wind farm was received by the strategic planning division on 16 March 2015. It proposes 12 turbines, with an overall height of 125 metres, with a potential power output of 39.6 MW. An environmental statement to accompany the application was received on 31 March, and the application was declared an article 31 on that date, so it will be determined centrally by the Department. The application has been advertised in accordance with environmental impact assessment regulations, and neighbour notifications have been carried out and the consultation sent to the appropriate bodies, including Newry, Mourne and Down District Council. To date, 41 objections from third parties have been received and, just yesterday, a letter of support came in. The application is still under consideration by my Department, so I cannot comment further on it.

### Ancient and Culturally Important Trees: Registry

T3. **Mr Cree** asked the Minister of the Environment what is being done to create a registry of ancient and culturally important trees in Northern Ireland. (AQT 3113/11-16)

**Mr Durkan:** I thank Mr Cree. I thought that he was going to ask about a registry of Cree's rather than trees. The Member has raised the issue with me in written correspondence, and I have received quite a bit of correspondence on it through social media.

The patchwork of native broadleaved woods and hedgerows that comprise our countryside gives it a unique appearance in the context of north-west Europe. Many of Northern Ireland's native woodlands and hedgerows possess high biodiversity, landscape and cultural value and have been given statutory protection as special areas of conservation, areas of special scientific interest and areas of outstanding natural beauty. Although many trees of special interest, due to their great age or other factors, are located in the foregoing protected areas, many grow in the countryside or in urban areas and deserve and require individual protection.

Many of the legislative functions regarding the protection of trees, the management of existing trees and the consideration of further or future protection of trees through, for example, the making of tree preservation orders transferred to the councils on 1 April this year. Councils also have the powers to draw up local development plans, which can provide policy and guidance on the management and protection of trees as part of the development proposals. I know that the Woodland Trust is campaigning very vociferously for a national tree register to celebrate our remarkable trees. I welcome the initiative for the creation of a register of trees of national special interest for Northern Ireland. I have instructed my officials to consider the resources required to establish and maintain a register and to advise me who would be best placed to administer such a register.

**Mr Cree:** I thank the Minister for that. It is indeed good news. Does he envisage that the only protection would be tree protection orders or is some other form of protection needed for these trees, particularly the ancient trees that may be one-offs?

**Mr Durkan:** I thank the Member for that supplementary. As I said, I have tasked my officials to do some work on this, and they will not do so in isolation. I have instructed them to go to the Woodland Trust to hear its views on this and to councils, which, as I said, now have responsibility for the protection of trees. I am not passing the buck to them. I am saying quite clearly that I want to work with councils and other interested third parties to see that this gets done.

### Bonfires: Licensing Proposals

T4. **Mr B McCrea** asked the Minister of the Environment for an update on the licensing of bonfires and to state whether he is aware that some councils provide differential funding for bonfires depending on whether they are traditional or non-traditional. (AQT 3114/11-16)

**Mr Durkan:** I thank Mr McCrea for that question. This is another issue on which I have announced my intention to work to resolve what is a perennial problem here in Northern Ireland. Many communities suffer at the hands of

those who organise bonfires badly or whose motives are not to bring communities together but to create division and indeed chaos in their own communities.

My officials and I have been working behind the scenes with councils on the issue. There is a lot of good practice across councils. Across the North, we have seen a reduction in the number of bonfires. Indeed, I read a report in today's 'Belfast Telegraph' that stated that there has been a huge reduction in the number of fires in Belfast that burn tyres, which is to be welcomed. There is good practice. It is important that we develop that good practice, roll it out and ensure that it is uniform across all council areas.

I think that everyone — everyone in their right mind — agreed that, of the list of options that I had come forward with, the third option, that of introducing a licensing scheme, was the best way to go. I think that it has to be uniform across all council areas. I know that some councils allocate bonfire management scheme money to community groups that organise bonfires. In some cases, the group that organises the bonfire might not necessarily be the group that gets the money, and I think that that was what the Member was getting at. That needs to be stamped out. I am not trying to stamp out bonfires per se. I know that a lot of people run these things responsibly, enjoy them and see them as part of their culture.

**Mr B McCrea:** Is the Minister aware that some community groups feel that when you fund something, it attracts the attention of outside agencies and that this applies in particular — I will say it here — to paramilitaries? Is he aware that those community groups are looking for such funding, if there is to be a licensing scheme, to be properly recognised? Will he take the opportunity to meet some community leaders so that they can explain the problems that they are having?

**Mr Durkan:** I thank Mr McCrea for his question. I have said previously in the Assembly that there is a need for collective, if not unanimous, political support for a scheme like this to succeed, and not just political support but community support. Therefore, it is extremely important that we consult far and wide.

I would be happy to meet the community group or groups to which the Member referred, as I have already met people from diverse communities, shall we say, to discuss this issue as well, as I said earlier, as continuing discussions with councils and other Departments and agencies.

**3.30 pm**

**Mr Principal Deputy Speaker:** Time is up. That concludes Question Time. I invite Members to take their ease while we change the top Table.

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

## Executive Committee Business

### Shared Education Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Shared Education Bill [NIA 66/11-16] be agreed. — [Mr O'Dowd (The Minister of Education).]*

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. I have listened with interest to the debate and welcome the interest that Members have shown in their contributions on this important matter. I will further reflect on the points that Members have raised during the debate.

Moving the Bill to its next stage will afford the opportunity to consider fully the issues. While there may be differing views as to what is necessary in the Bill, I welcome the general support for advancing shared education and for the need for legislation to define shared education. However, I acknowledge that there were a number of dissenting voices throughout the debate. Shared education has the potential to make a significant difference to the educational outcomes of our young people and to building a strong and shared community. Most Members have endorsed this, with impressive examples from their own constituencies.

I will now turn to Members' comments; I may not be able to cover them all, but I hope to cover the generality of them in my concluding remarks.

The Chair of the Education Committee set out the Committee's position on shared education and reflected on the fact that the Committee has carried out its own inquiry on the matter. I hope that the Bill passes Second Stage and moves to Committee Stage; that will give the Committee a further opportunity to explore the issues in and around the Bill with those whom it deems to be interested or wishes to see.

I welcome further debate on shared education and on the Bill. The Bill is short, but it is important. The Bill's brevity does not reflect the Department's commitment to shared education; the brevity of the Bill reflects what is needed in legislation around this issue. Members should also familiarise themselves with the shared education policy that was published earlier this year, which gives greater detail about the Department's policy and work and scope in and around shared education and direction of travel.

I suspect that the issues that were raised by the Chair to do with educational improvement, connection with the curriculum and definition, as he pointed out, will be the subject of much debate in the next stage of the Bill. The very core of shared education has to be educational improvement. It has to ensure that it connects with the curriculum, not only in schools but with youth work as well. The definition of shared education has been much debated. The inclusion of all sections in legislation around schools in terms of section 75 has, to date, proven difficult, but I await the Committee's further deliberations on that matter.

Will there be a Caesar giving a thumbs up or a thumbs down on programmes? I know that the Chair was jesting somewhat — at least I hope that he was — but there will

be, as there have been up to now, clearly defined criteria against which the merits of applications and projects will be judged. Any applications that to date have gone through panels in the Education Authority and which have proven successful have been informed, and any that have not proven successful have been informed on where there were shortcomings in their projects and where they may want to concentrate in any further application. The application process for funding for shared education is open and transparent and will ensure that everyone involved in shared education is aware of how they are being judged against the criteria.

The Chair also raised the issue of whether, under this definition, children with different socio-economic levels may qualify for shared education if they all come from the one religion. That will not be the case because the legislation is quite clear that shared education is the educating together of those of different religious belief and socio-economic deprivation, so there will have to be a cross-community element. A number of Members raised the issue —

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

**Mr O'Dowd:** I will, yes.

**Mr Weir:** I have a point that was raised at Committee. Obviously, the definition in the legislation is reasonable numbers of Protestants and Roman Catholics. I suppose, first, there is an issue about how that is defined, and, secondly, the query was on whether two schools from the same sector that may well have some level of mix in them would be able to qualify.

**Mr O'Dowd:** I do not think that it rules it out. I do not want to prejudge any application from any school. Under the criteria that we are using or can use, imaginative proposals from schools should certainly be given an opportunity to be judged against the criteria that will be published.

A number of Members raised concerns about shared education versus integrated education. Mr Lunn raised concerns about this matter and, in fairness, has done so in the past, although he is supportive of shared education policies and the Bill as it stands. No doubt, he will make his mind up about any amendments, or anything else, that come forward. Let us be clear: it is not a case of either/or. These are programmes of work in our society that, in my opinion, are complementary of each other but which should not be seen as competition to each other.

However, I will caution the House. Some Members may be of the view that they need to make it a duty rather than a power around shared education. Shared education includes the word “promote”; the legislation on integrated education does not include the word “promote”. If we move to a stage where shared education is a duty and includes the word “promote”, there may well be a justifiable argument that we have put integrated education into the shadows. I caution Members, when they are discussing whether there should be a power or a duty on the Department of Education, to remember that there is a difference between the definition of integrated and Irish-medium education and the Department’s duties on that and the shared education clause, which includes, as was the will of the House in a previous debate on the Education Act, the word “promote”. It is not in the definition of integrated, so Members should be careful in how they approach those things.

**Mr Lunn:** I thank the Minister for giving way. He talked about the will of the House. It was the will of the House in 2012 that the word “promote” should be included in the obligation to promote integrated education. I know that that was in a private Members’ motion rather than legislation, but it was clearly the will of the House.

**Mr O'Dowd:** As the Member said, a motion is not legislation. Several pieces of legislation have gone through the House since then, and the House has not taken a decision on those matters. I flag up to Members that, if they support “promote” in this instance, they are making a distinct difference between shared education, integrated education and Irish-medium education.

I also want to touch on the issue of whether the Bill allows me as Minister to undermine academic selection. Unfortunately, it does not. That is the truth of the matter, and that is to my regret but, I suspect, less to the regret of others in the House. However, I reluctantly welcome the fact that Mr Allister and Mr McCrea have now confirmed to the House that academic selection is to the disadvantage of those from a socially deprived and disadvantaged background. They have confirmed it from their own mouths today because they are opposed to the inclusion of, in clause 2, the term “socially disadvantaged”. In their words, they claim that it will be to the detriment of grammar schools and to the detriment of academic selection.

I will never again have to prove to the House, or use any reference source other than the clear statement from those two gentlemen today, that academic selection is to the disadvantage of those from a socially disadvantaged background.

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

**Mr O'Dowd:** They are terrified to include a clause in a Shared Education Bill that has nothing, unfortunately, to do with academic selection, but it is a fact, even though that would ensure that we break down barriers across our entire society and in our community, whether those are between people from different community backgrounds or different socio-economic backgrounds. Such is their irrational fear on the matter.

**Mr B McCrea:** Will the Minister give way? Will he give way?

**Mr O'Dowd:** They have stood up today and confirmed the very fact —

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

**Mr O'Dowd:** — that academic selection is to the disadvantage of those from a disadvantaged socio-economic background.

I will give way.

**Mr Allister:** Thank you. Academic selection has been an elevator for many people from very socially deprived backgrounds, so the positive proof of academic selection is that it lifts people. In deploying the argument that was used, it was deploying the Minister’s approach, because it is his constant mantra that academic selection exacerbates the conflict between those who are socially deprived and those who are not. The challenge to the Minister, since that is his view against academic selection, and since the Bill ensconces that, is that he is being less than forthright in failing to acknowledge that it is a leg-up for the anti-selection campaign that he heads, because it embraces the very concept that lies at the heart of —



**Mr Deputy Speaker (Mr Dallat):** Order, please. That is a very long intervention.

**Mr O'Dowd:** I caution the Member to watch his balance, because he is dancing on the head of a pin there. He knows quite well what he said in the debate earlier. Mr McCrea, who is looking to make an intervention, was on the airwaves only last week saying the exact same thing. His concern about the Shared Education Bill is that we would have groups from different socio-economic backgrounds sharing together and that that would be to the disadvantage — in his words — of the selective sector. Now that I have pointed out that they are confirming an argument that I have been using, they are trying to change that terminology. They can do that if they wish, but it does not change what they have said and what they are on record as saying.

I will give way to the Member.

**Mr B McCrea:** I am grateful to the Minister for giving way. My point, Minister, which you do not appear either to accept or understand, is that you are entitled to bring forward legislation seeking the end of academic selection, if you wish to do so. What you are not entitled to do, and what I worry about in the Bill, is to do that in an underhand way. This is a Trojan Horse. Had you brought forward the Bill and not mentioned those who are experiencing socio-economic deprivation, I would have followed your argument. This legislation is supposed to be about shared education. However, it gives you an open door to fund whatever you want, and I am just putting it to you here that, if you think that the Bill is going through without scrutiny and challenge, you are wrong. This is not the right way in which to go about it. I will stand over my argument here, in a Committee or on the airwaves, because it is correct.

**Mr O'Dowd:** It is the Shared Education Bill, and I think that it is only right and proper that we have sharing across as many aspects of our community as possible, that we break down as many barriers in our community as possible and that we give as many young people in our community as possible different experiences and different opportunities to share those experiences.

Under current legislation, I can basically fund what I want, so that is a silly argument. Under current legislation, I can basically fund what I want — if we follow your pathway. Therefore, if I thought that funding on its own would end academic selection, I would have carried that out four and a half years ago, instead of waiting until the last six months of the term.

The Bill has absolutely nothing to do with academic selection.

It has everything to do with shared education, the four clauses in the Bill and the policy set out in Sharing Works, which was published earlier this year. Members may want to read more into it than there is. Members may wish to come up with all sorts of conspiracy theories, but they do not exist because the legislation will set the parameters of how I can work, and previous legislation sets out exactly what I can and cannot fund. So, none of this changes it whatsoever. If we go off on that tangent, we will miss the opportunities that the Bill presents.

### 3.45 pm

During his contribution, Mr Rogers talked about the use of ICT. There is an opportunity for the usage of ICT in the

programme, and some of the schemes that are already on the ground are using ICT, but it is vital that we have contact. I am not suggesting that Mr Rogers is saying this, but we do not want to turn this into sharing through Skype. We want young people engaging with each other, meeting each other, being taught the curriculum together, learning about each other's experiences together and learning about each other from each other. ICT will play a part in that. It will not be the lead role in it, but it has a role to play going into the future in all aspects of our education system.

Mrs Overend, who, I understand, had to leave the Chamber for personal reasons, provided commentary and set out the position of the Ulster Unionist Party around the Bill, expanding it into a vision of the future of a single education system. I may not agree with everything that she has said, but if the Ulster Unionist Party has a vision of a single education system, let us see it. Let us see how we protect the rights and entitlements of individuals, communities and people from different religious, community and cultural backgrounds and how we protect people's British and Irish identity, all within that education system.

There has been much talk over a number of years that people would like to see a single education system. I would like to see more meat on the bones around exactly what that proposal means. I do not think that anybody should be fearful of the debate, but there has to be a debate about it. A single education system may mean different things to the various parties around this Chamber, but, unless we debate it, we will not find common ground on it.

I have touched on Mr Lunn's comments around various matters. In my approach to integrated education, I was accused by Mr Kennedy of favouring integrated education over the controlled sector and doing damage to the controlled sector in various areas through another conspiracy that I am involved in, as well as the academic conspiracy, which is going on in that corner over there. He used the example of Omagh. He said that I refused to approve an expansion of integrated education in Omagh because it would damage the maintained sector. I will give Mr Kennedy a piece of advice. Never, ever believe your own propaganda because you end up coming out with statements that are completely wrong.

One of the reasons why an expansion of integrated education in Omagh was turned down was not because it would have a detrimental impact on the maintained sector but because it would have had a detrimental impact on the controlled sector. So, I carried out an action that was the complete opposite of what you accused me of. I do not know whether you want to intervene and withdraw your remark or you want it to stay on the record, but it is factually inaccurate. You have a habit of coming into the Chamber and making comments about what I am up to and none of them ever stacks up. In this instance, the record will show, the reports on which I based my decision around Omagh will show and, I have no doubt, the upcoming court case that is proceeding around that decision will also show exactly why that decision was made, and the judge will decide whether my decision was based on reasonable arguments moving forward.

The Second Stage of any Bill is always that moment in time when Members will have different views on the direction of travel of a Bill. Some will reject it outright, and some will decide to give it a fair wind and debate it through

Committee Stage. Others may be happier with various clauses of the Bill than others. The Bill is very short, but, as I said in my opening remarks, it is very important for moving our education system and our society forward.

It is a much-debated subject. Mr Newton was correct when he said that shared education is a Programme for Government commitment. It is set out across three areas, and the Programme for Government put an onus and a responsibility on my Department to move shared education forward. This is yet another step in moving shared education forward. The policy was also another step in moving shared education forward.

I encourage Members to support the Second Stage of the Bill and to allow it to go through to Committee Stage and Consideration Stage. Mr McCallister said that he may have amendments etc. That is the way the system works. Let us ensure that, if we move the Bill forward, we do not miss the focus on what the shared education programme is about. It is about another step forward for our education system and for our society, and, if we work together on this, I believe that we can make significant gains for everyone without involving losers in the equation. I thank the Members.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Shared Education Bill [NIA 66/11-16] be agreed.*

**Mr Deputy Speaker (Mr Dallat):** That concludes the Second Stage of the Shared Education Bill. The Bill stands referred to the Committee for Education.

## Private Members' Business

### Regional Economic Imbalance

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

**Mr Flanagan:** I beg to move

*That this Assembly expresses concern at the high levels of regional economic imbalance, as evidenced by high levels of long-term unemployment and economic inactivity in north and west Belfast, west of the Bann and along the border corridor; welcomes the commitment in the Programme for Government 2011-15 to address regional imbalance, and the establishment of the ministerial subgroup on regional opportunities; recognises the role that the availability of property, skills, appropriate infrastructure and telecommunications can play in making areas magnets of attraction for investment; acknowledges the desire of local government, political, community and business leaders in areas of high unemployment to work in partnership with government to attract greater investment and prosperity; and calls for the inclusion of subregional job creation targets in the next Programme for Government.*

Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an díospóireacht tábhachtach seo. I welcome that we are debating this issue once again. We debated it about two years ago, and progress has been slim to date. Hopefully, this motion will be the impetus for corrective action to resolve what has been a long-standing issue.

In 2014-15, almost 40% of the jobs that were promoted with Invest NI support were in the Belfast City Council area, with two thirds of all the jobs promoted being east of the Bann. That is not reflective of the overall economic output in this region or the location of our people, as only 18% of the North's population actually lives in the Belfast City Council area. It is forcing the displacement of our people to already overcrowded, overpriced and under pressure urban communities, and that leaves our rural areas like ghost towns that are struggling for viability and sustainability.

It is not a new policy, but it has worsened as a result of the changing economic conditions in recent years and the switch to focusing on attracting jobs in the service sector as opposed to the manufacturing sector. Jobs in the manufacturing sector were more likely to be based in rural communities as a result of the comparatively cheaper price of land and the availability of space as well as a range of other issues. It is also partly the legacy of decades of deliberate underinvestment in areas with large nationalist populations, as the majority of both government and private investment was directed, for both political and gerrymandering reasons, into already affluent unionist areas.

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

**Mr Flanagan:** I will not, Gregory, no.

A Fermanagh MLA held the position of Enterprise, Trade and Investment (ETI) Minister for nearly eight years, and the county was neglected just as much under that

leadership as it was under direct rule. Two thousand people left Fermanagh last year, mainly to get work.

Many people think, and I am one, that it does not suit some unionist politicians for jobs to be created in areas with large nationalist populations, or along the border, as they are more likely to be filled by nationalists or, heaven forbid, by people who live across the border. Those mindsets remain to the fore in many unionist politicians.

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

**Mr Flanagan:** I will not, William, no.

It is convenient for unionist politicians that those 2,000 people, most of them young, are no longer in Fermanagh to vote, as the census and other figures point to a growing younger population from the nationalist community.

West of the Bann and along the border are the areas with the worst road and rail networks, telecoms infrastructure, sewerage, water and electricity grid services. There is also inadequate provision of social and affordable housing and an absence of higher education provision for the most part, despite there being a sufficient population on both sides of the border to sustain such services.

Regardless, with the inability or refusal of successive ETI Ministers to address the growing problem of uncompetitive energy prices for intensive users, Invest NI openly admits that it does not even bother trying to attract manufacturing companies any more. So, we are left with call centres and other service centre jobs, which are invariably based in large urban areas.

It would be wrong of me not to welcome the recent announcement of 800 jobs in a call centre in Enniskillen, jobs that will pay below the living wage. However, jobs of that nature will not bring our people home.

A report for the Scottish Executive last year indicated that the North does well in attracting inward investment but that it tends to be lower-value inward investment. Invest NI has seen record performance in the greater Belfast area but that is not shared across the North.

Recently published Office for National Statistics (ONS) figures on the number of workers being paid below the living wage revealed that our three council areas with the highest number of workers being paid below the living wage are the Causeway Coast and Glens Borough Council, with 39.9%; Fermanagh and Omagh District Council, with 38.9%; and Mid Ulster District Council with 37.4%. Over 200,000 workers here — or 28% — are paid below the living wage, far higher than any region in Britain.

A recent OECD report on the border region found that the North:

*“remains relatively more peripheral with respect to its political influence”.*

If the North is already on the periphery as a result of the emanation of economic policies from London, imagine how much more peripheral areas west of the Bann and along the border corridor are. The threatened withdrawal from the European Union would only worsen this as any existing opportunities for cross-border cooperation and harmonisation using EU mechanisms would be removed.

Official statistics for disposable income, low pay, levels of economic inactivity and long-term unemployment are also

comparably worse in peripheral areas such as Fermanagh and Omagh, Derry and Strabane, and the Causeway Coast and Glens. While our overall unemployment rate is falling steadily, it is remaining steady for long-term unemployment.

Some Members may well rise to deny once more that a problem exists, even Members who left Fermanagh many years ago to get a job in the greater Belfast area. There was a commitment in the Programme for Government 2011-15 to address regional imbalance.

The establishment of the ministerial subgroup on regional opportunities has done initial exploratory work on the Derry area. I would like to hear news about what it is actually doing and when we can see that group beginning to look at the specific challenges facing rural communities and how we can create employment for our citizens, particularly to stem the growing demographic changes in our society — the wholesale movement of people from rural to urban communities and the problems we face with emigration.

There has been much talk of a proposed reduction in corporation tax being the solution for our economic woes. Would a reduced rate of corporation tax address or compound the problem of regional disparity? We need to take informed, evidence-based decisions in that regard.

I witnessed the ETI Minister spoofing the Chamber last week about the need to set a date and rate for corporation tax, as if that were going to be the solution for the manufacturing crisis.

**Mr Bell (The Minister of Enterprise, Trade and Investment):** On a point of order, Mr Deputy Speaker. Can I ask you to rule on the word “spoofing”, given that what I was saying was repeating what the deputy First Minister, Martin McGuinness, told the Chamber of Commerce lunch in Belfast City Hall?

**Mr Deputy Speaker (Mr Dallat):** I am happy to tell the Member that I do not rule on words. At the same time, I urge Members to show respect.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. So, the ETI Minister talks about corporation tax being the solution for the manufacturing crisis, as almost Pontius Pilate-like he washes his hands of the loss of 860 jobs. I am sure that his colleagues in north Antrim are grateful for this blissful ignorance as he runs around with his fingers in his ears ignoring the warnings that emanated from Michelin more than two years ago, that came from the Committee for Enterprise, Trade and Investment for over two years and that have been coming from the trade union movement for several months, as he stood up and repeated ad nauseam his claim that a reduced rate of corporation tax was the solution for businesses that were not making a profit. At any stage —

**4.00 pm**

**Mr Bell:** On a point of order, Mr Deputy Speaker. I invite you to check the record. The foolish allegation — I know that it is difficult to work out which foolish comment I am talking about among the number that have been made — is that I said that corporation tax would be a solution for people of low profit. Will you check Hansard to see whether I have ever said that and, if not, rule against the Member? I said the same words as the deputy First Minister said. Is he spoofing as well?

**Mr Deputy Speaker (Mr Dallat):** I will take that as an intervention rather than a point of order. I remind Members that there will be ample opportunity for them to make a contribution to the debate.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. The Minister never took his fingers out of his ears to assess the nonsense message that somebody had given him to parrot and parrot and parrot.

We live in a society with a two-tier economy. There is greater Belfast, and then there is everywhere else. Are we a regional Assembly for greater Belfast, or are we something else? It is time that we stepped up to the plate and dealt with areas that are not within the greater Belfast circle. We cannot allow the trend of a two-tier economy to continue. The golden circle around Belfast attracts the vast bulk of investment at the expense of other areas. I was not elected by the people of Fermanagh to stand idly by — nor were other Members — and allow another generation of our young people to be forced to flee the county in search of employment, whether in Belfast, Dublin, England, America, Canada or Australia. It is long past time for appropriate action to be taken to address this shameful trend. The number of workers from rural communities, particularly in the construction sector, who spend every Sunday evening or Monday morning sitting in an airport waiting to catch a flight to England for a week's work is a shameful indictment of our failure to create balanced subregional growth.

According to a new study by the TUC, the number of commuters who spend two hours or more each day stuck behind the wheel or on public transport just getting to and from their workplaces soared to more than 47,000 people. The Minister stood up at Question Time and said that 40% of people work in a neighbouring constituency so we cannot set subregional job targets. That is the biggest load of nonsense that I ever heard. Just because somebody works somewhere else, why can you not have a target for Invest NI to support jobs in a particular area?

We need to take action to address the problem. The action that we need to take in the short term is to include concrete targets for the Executive and Invest NI for subregional job creation. That was a cross-party agreement in the Committee for Enterprise, Trade and Investment's recent inquiry into the economy. Unless we take action, the same problem will persist. It should not be tolerated, particularly by those in the House who claim to want to rebalance our economy. Perhaps when they talk about rebalancing our economy, they are actually talking about cutting public expenditure. That is what that phrase means when some people use it. What rebalancing our economy should mean is facilitating balanced economic growth across the North. That should be our collective objective.

Putting in place subregional targets will not deter investment. No matter how many times we hear it, it is not true. It will simply focus the minds in Invest NI on the need to do more for the areas that have been neglected since the foundation of this state. Putting a target for performance in Invest NI is completely different from a quota. I am not advocating that we put a quota on the number of jobs that go to Belfast or any other area. I am merely asking that the Assembly, when it is considering items for the next Programme for Government, puts in targets for each area that Invest NI should work towards. That will not deter investment. It will change mindsets in

Invest NI and, hopefully, in the private sector. I hope that Members are pragmatic enough to see that.

**Mr Dunne:** I welcome the opportunity to speak against the motion. Whilst there is no doubt that we continue to live in difficult financial conditions, which are seen all over the world, we have a lot going for us in Northern Ireland, with a highly skilled, educated population combined with our rich industrial and entrepreneurial heritage.

We cannot deny that there are regional economic imbalances across Northern Ireland. The figures show that some areas here suffer higher unemployment than others. That is not a situation unique to this country. Naturally, there will be variations in economic activity in any country, and they are seen across the world.

**Mr Campbell:** I thank the Member for giving way. While he is on the subject of the regional disparities seen in various countries — he is right about that — does he agree that, given what the Member who moved the motion said about sectarianism, the people of Donegal, for example, in the Irish Republic were hardly discriminated against on grounds of sectarianism by their Government and yet they constantly complain about not getting jobs there?

**Mr Deputy Speaker (Mr Dallat):** The Member has an additional minute.

**Mr Dunne:** I concur with the point that the honourable Member has made.

Such variations are due not least to geographical realities and the physical and infrastructure variances that exist across the Province. There are many issues: we need improved road access and broadband provision, and we need more energy to be provided from renewables through the use of gas etc. Although challenges exist, we see our economy continuing to recover from the global recession. In the year to September 2015, benefit queues shrank at their fastest rate in the past 15 years. Those are the most recent figures.

Much of the work to grow our economy has been led by Invest NI and the good work of our Enterprise Ministers, Arlene Foster and, more recently, Jonathan Bell. They must continue to make the growth of our economy the number one priority, as it is that of the Northern Ireland Executive. Look at the evidence from Invest NI for 2013-14. The figures that we have been given are that, in Fermanagh and South Tyrone, which was mentioned earlier, 637 jobs were created; in the Foyle area, there were 434; in Mid Ulster, 495; and in Newry and Armagh, 371. However, in my constituency, North Down, which suffers from its proximity to Belfast, only 128 jobs were created in 2013-14. The evidence confirms that a good spread of jobs is promoted and created outside the Belfast area.

Much of what the motion contains is already work in progress through the Executive's regional opportunities ministerial subgroup. That work is being done by the Department and Invest NI. Now that the 11 new councils are in place, there is the opportunity for work to really get under way, through their new community planning powers and the levers now available to councils in partnership with Invest NI and central government to ensure that areas are tailored appropriately to attracting inward investment and job creation.

Despite the challenges to our economy, not least in the manufacturing sector, as, sadly, we have seen in recent



days, there are growth areas, including the agrifood and tourism sectors. Many of the areas mentioned are areas of need, particularly those west of the Bann, but they have rich tourism potential and a thriving agrifood sector that must be fully exploited. The new councils must take a proactive approach in helping those areas by working in a joined-up way to set real and ambitious job creation targets.

We must all redouble our efforts to grow the private sector, rebalance the economy and get people into work. With a joined-up approach involving councils, schools, colleges and all agencies, we have an opportunity to continue the work of helping this country to grow and develop. The devolution of corporation tax, which has been mentioned many times in the Chamber, is another lever that would help to make this a more attractive place to do business and enable us to compete with the Republic of Ireland, mainland UK and, indeed, countries throughout Europe.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas le moltóir an rúin. I thank the supporters of the motion for introducing the matter into the Assembly.

While at one level this is an opportunity to speak on the motion, it is set in the context of difficult times. Only a week ago, Ballymena was devastated by the news of the closure of the Michelin plant, so soon after the JTI Gallaher announcement. It represents a significant blow to the local economy and to the Northern Ireland manufacturing industry. Indeed, Michelin had an impact on my constituency: people from that area were in the supply chain or worked there, as you will know, Mr Deputy Speaker.

The manufacturing industry as a whole represents 10% of our employment. Following this disaster, it is even more pressing that the Assembly recognises not only the scale of the economic damage but the rippling effects that political instability has on the historic regional imbalance in the North. Of course, I recognise that regional imbalances and variations can be a natural part of any economy, but, in Northern Ireland, the east/west divide remains as stark as ever, nearly 20 years after peace and much promise of a prosperity process — indeed, a peace dividend was much talked about. I remember hearing Gordon Brown talk regularly and frequently about it. There was plenty of talk but little delivery.

A failure to address serious skills and infrastructural deficits has squandered long-term strategies and crucial business regeneration. In Mid Ulster, we saw this at first hand, when the initial prospects for the Desertcreat project faltered significantly, before almost collapsing altogether. Fortunately, it has survived, so we hope, in reduced format, but I am very discouraged by the clear failure to invest in the infrastructure to ensure its long-term viability and the regeneration of the economies around it.

The figures we see reaffirm that regional inequalities haunt our economy. At this point they have become almost a cliché. Ards and North Down, for example, has the highest rates of employment and economic activity, at 73·8% and 76·2% respectively. That is in stark contrast to Derry and Strabane, which had the lowest levels of employment, at 56·6%, and the lowest level of economic activity, at 66·5%. Overall, long-term unemployment has remained at 68%, while economic inactivity remains in the upper margins, with 27·6% of 16- to 64-year-olds out of work and not actively searching for work. This confirms that, while some

regions are doing well, the lack of opportunity across the North has continued to stifle employment progress.

While the above figures are a cause for concern, it is essential that we pick specific areas of weakness and areas that must see improvement if the economy is to prosper. It is vital that long-term initiatives, whether investing in the economy, infrastructure or skills, are targeted to rebalance our economy away from being primarily public sector towards more of a private sector base. Northern Ireland has shown an ability to attract large-scale investment, and we have seen many names come to the North in the past — fortunately for Belfast and east of the Bann but not so fortunately for west of the Bann. There is a litany of reasons for this, most notably the deficit of skills and, especially, the lack of infrastructure. Those of us who drive down either the M1 or the M2 motorways see a very obvious sign of that.

A skills base remains absolutely vital to the development of a competitive and healthy economy, while allowing people personally to prosper. New skills open up opportunities and grant people the tools that they need to succeed. Indeed, in my constituency, some good employers cannot wait for government to do the job. They are re-skilling, taking in new people and training them themselves. Such employer-led initiatives among good firms, some of which I know very well, could probably give an example to government and to other sections of industry of how to do things efficiently. They rely on a skilled workforce not only to make a profit but to expand and grow into new regions. The Assembly can attract all the investment it wants, but, if we lack the long-term skills that are necessary, businesses will not want to stay. It will become unviable for them to do so. For example —

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

**Mr McGlone:** — I have referred to my constituency of Mid Ulster, where we have had good examples and some poor examples of figures —

**Mr Deputy Speaker (Mr Dallat):** Sorry, the Member's time is really up.

4.15 pm

**Mr McGlone:** Sorry, have I finished, Mr Deputy Speaker?

**Mr Deputy Speaker (Mr Dallat):** You are very definitely finished. *[Laughter.]*

**Mr McGlone:** I was only just getting warmed up there. I had not quite concluded, but I support the motion.

**Mr Cochrane-Watson:** I welcome the opportunity to speak in a debate on the economy, even though, to be honest, a motion on the economy from Sinn Féin is like a motion on childcare from King Herod. However, there is nothing in the motion that I take great issue with, although I cannot avoid the fact that all the constituencies highlighted are areas where Sinn Féin is electorally strong. That is disappointing.

It seems somewhat late in the day to welcome a Programme for Government commitment at this stage of the mandate. A better question would be to ask whether the ministerial subgroup on regional opportunities has had any impact. The inclusion of a subregional job creation target is a reasonable ask, but, again, would it make a difference to the outcome?

As a representative of South Antrim, I want to praise my constituents for their relatively low levels of economic inactivity, but should those people now be penalised because of their work ethic? It must also be pointed out that many people in the east of the Province commute daily to our capital city of Belfast for their work. Those of us who live east of the Bann could easily complain about the lack of foreign direct investment and the lack of Invest NI-sponsored job creation.

One constituency not mentioned in the motion has just received a third hammer blow to its employment base: Ballymena in North Antrim is to lose 860 jobs with the closure of Michelin, which comes hot on the heels of the closures of JTI and Pattons. Many in my constituency will suffer because of those job losses. That high number of job losses will only kick in next year, but they are indicators of what I believe to be a crisis in local manufacturing. There is concern about manufacturing as the sector is exposed to wider global economic slowdown. Last month, manufacturing output growth was flat, and manufacturing employment fell for the second consecutive month in October, which is the fastest rate of decline since June 2013. It is not a positive situation.

Northern Ireland is a small place, and we need to think of the overall economic picture. In May 2007, Northern Ireland had an unemployment rate of 3.7%, which was lower than the UK average of 5.4% and of the Republic's 4.1%. In that month, the Executive were re-established under the leadership of DUP/Sinn Féin. Today, our unemployment rate is 6% while the UK average has returned to 5.4%, as it was before the financial crash. Even more worrying is the fact that 27.6% of our population is deemed to be economically inactive. It was 27% in 2007. At the same time, we know that, overall, one in nine of our population is in receipt of disability living allowance. That compares to one in 20 in England. We also have black spots: I believe that it is one in five in west Belfast.

That is not a record that the Executive or the Minister of Enterprise, Trade and Investment should be proud of. I hope that he thinks about the statements that he made earlier and that he thinks about himself having no concern about manufacturing so that I can pass on his real concerns to the many in South Antrim —

**Mr Bell:** Mr Deputy Speaker, on a point of order. At no stage in this House — the Hansard report will reflect it, and you can check the comments that I made earlier and the lie that has been told — did I say that I had no concern for manufacturing. Can that be addressed?

**Mr Cochrane-Watson:** I am sorry, Mr Deputy Speaker, but without the Hansard report in front of me, I cannot qualify that, but a very positive picture —

**Mr Bell:** Further to that point of order, Mr Deputy Speaker, the Member has taken words that I did not say and attributed them to me today, so can you reflect on what I said in Hansard, respond to the Member and strike what he said from the record?

**Mr Deputy Speaker (Mr Dallat):** I suggest to the Minister that he has now corrected the record. We can certainly look at Hansard.

**Mr Nesbitt:** On a point of order, Mr Deputy Speaker. Will you reflect on the Minister's statement and his use of the word "lie"?

**Mr Deputy Speaker (Mr Dallat):** I have already said that I do not rule on words, but I have asked Members to show courtesy to and consideration for other Members. I hope that that is taken seriously.

**Mr Cochrane-Watson:** I was reflecting only on what I thought was a very positive message coming through at Question Time earlier on the manufacturing sector in Northern Ireland. I do not share that positive message. I do not think that the 860 people from Michelin would share that positive message. I do not think that those from JTI or Patton, or many hundreds of my constituents in South Antrim, would share that positive message. I am only asking whether the Minister will reflect on that. I have grave concerns for manufacturing —

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

**Mr Cochrane-Watson:** — in Northern Ireland. Thank you, Mr Deputy Speaker.

**Mr Lunn:** I must say that I did not expect the debate to be quite so feisty, but there we are. I want to start off by speaking about the way in which Mr Flanagan introduced the motion. He made the point that two thirds of Invest NI-produced jobs are east of the Bann. Although I acknowledge that I would like to see a more even distribution of those jobs, where does he think that the population, connectivity, and so on, are?

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

**Mr Lunn:** In a minute. You might want to intervene again if I do not.

He also made a political argument. What he effectively said was that a Fermanagh MLA acting as Minister of Enterprise actually sought to divert jobs from Fermanagh to other areas for political reasons. I know that he has a fond relationship with Mrs Foster, but, really, that is outrageous. I am very surprised by that. If you want to intervene now, I will let you. *[Laughter.]*

**Mr Flanagan:** I thank the Member for giving way. I am going to answer his first question, which is what I wanted to intervene about. Some 40% of the jobs went into the Belfast City Council area, which has 18% of the population, so Belfast is certainly doing better than its population would lead you to believe.

Regarding your other comment, I did not specify any one individual as being behind it. I said that it is a mindset among unionist politicians, but if the perception that the Member has is that I was alleging that the former Enterprise Minister was doing that, that is regrettable.

**Mr Deputy Speaker (Mr Dallat):** I am pleased to say that the Member has an additional minute, but there is something else that I wish to say. Lest the Chair be totally ignored, I ask Members to make references through the Chair, please.

**Mr Lunn:** To clarify, my understanding of what Mr Flanagan said was that the Minister who had been in post for about eight years was making those decisions.

**Mr I McCrea:** That is definitely what he said.

**Mr Lunn:** Well, there we are. I will get back to the motion. It is a rambling kind of motion. I think that I am able to say

that I will be the first to mention north and west Belfast. It is not a Fermanagh motion. It expresses concern at the:

*"high levels of regional economic imbalance ... in north and west Belfast, west of the Bann and along the border corridor".*

That is fair enough, but I think that the problems in north and west Belfast are every bit as bad as the problems in Fermanagh and along the border corridor — not the whole border corridor, but certain sections of it — and for different reasons, because the connectivity, transportation links, and so on, are better. That is part of the problem for the border areas.

I want to take up the question of the establishment of the ministerial subgroup on regional opportunities, because, as far as I can tell, and I think that Mr Dunne mentioned it, that body appears to have been established early this year — January is the date that I see — and met once. Somebody can correct me if I am wrong, but it has met once. It will soon be a year old. There was a freedom of information request submitted looking for the minutes of the meeting that did take place. I have seen a picture of the meeting, but I have not seen any outcome or progress report. I think that I saw a reference to the fact that Mr Durkan could not be there, for perfectly sound reasons. How long does it take something such as that to be set up and produce some actions, ambitions or targets?

**Mr Durkan:** I thank the Member for giving way. To give some clarification: the group met twice. The second meeting comprised, I think, OFMDFM and the Minister for Employment and Learning. No other Ministers were available for that, despite my insistence that the Minister for Regional Development should be at those meetings, should be invited to those meetings and that none of those meetings should take place in his absence. Would the Member agree with me that it is more of a wasted opportunities group than a regional opportunities group?

**Mr Lunn:** I am in enough trouble already, Mr Deputy Speaker. *[Laughter.]* I will not go there. However, the group met twice, the second time with only three Ministers, and has not produced any outcomes whatsoever. The word that Mr Durkan used is perhaps appropriate.

I want to deal with the meat of the motion, but it is only in the last line that it calls for:

*"the inclusion of subregional job creation targets in the next Programme for Government."*

Here are quotations from the last Programme for Government and economic strategy:

*"Balanced sub-regional growth: we will ensure that all sub regions are able to grow and prosper, whilst recognising the importance of Belfast and Derry/Londonderry as key drivers".*

*"In identifying our economic priorities, we realise that economic growth must create a fairer and more equitable society for all our citizens".*

*"Balanced sub-regional growth: we will ensure that all sub regions are able to grow and prosper;*

*Equality: we will ensure that no section of the community is left behind".*

On equality of opportunity, fairness, inclusion, the promotion of good relations and all the rest of it:

*"Our North/South and East/West links are important".*

It is already there in a document that is almost four years old. Frankly, I wonder how the inclusion of subregional targets would improve the situation.

We will not oppose the motion. It is open to question.

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

**Mr Lunn:** I doubt very much that, if somebody puts in targets, all of a sudden there will be a transformation in the situation. It will be interesting to hear what the Minister says about it.

**Mr Givan:** From the outset, it is clear that this is a party political motion and, actually, a very narrow party political motion for Sinn Féin in Fermanagh. Even within that, I think that it is more to allow the Member who proposed it to carve out a niche amongst his colleagues in Fermanagh. It is clear that it is being used for that purpose, and we can look at it through that lens. It is also clear that the Ulster Unionists will use it as a way to attack the DUP and Sinn Féin. Let us not point out that infrastructural road improvements are critical to developing any economy, and their Minister held that responsibility for four and a half years. So, the motion will be used in that way, and I want to try, as far as possible, to avoid that, but I think that I will need to respond to it in some way and talk about its general principles.

The argument that is being made by the Member for Fermanagh and South Tyrone is not unique to Fermanagh. As someone who represents a constituency that is only seven miles away from Belfast, I know very well that my constituents feel that Lisburn is overlooked for Belfast investment. We do not need to go too far outside Belfast for people to feel that the investment is centralised there. Even within Belfast, and within political parties in Belfast, there is a view that it is east and south Belfast where the focus is. I know — I looked it up — that the SDLP's Alex Attwood made it clear in response to jobs being lost in west Belfast. He said:

*"you do not put FDI into south and east Belfast but protect industrial sites in west Belfast". — [Official Report (Hansard), Bound Volume 102, p225, col 2].*

The SDLP's response to job losses in west Belfast was to say that we should not put any more money into south Belfast, which happens to have an SDLP Member of Parliament. It is an issue on which, even within parties, there will often be that kind of internal division, struggle for power and calls for investment to come into those constituencies.

In Fermanagh —

**Mr Ó Muilleoir:** Will the Member take a point?

**Mr Givan:** I will.

**Mr Ó Muilleoir:** Since none of Mr Attwood's colleagues are rushing to his defence, it is important to say that he put it on record that he apologised for that statement. I am reiterating that for him.

**A Member:** You are very generous.

**Mr Givan:** I am sure that he will appreciate that.

**Mr Deputy Speaker (Mr Dallat):** The Member has earned an extra minute for that.

**Mr Givan:** Thank you.

When we look at Mr Flanagan's track record, there was an opportunity for investment with Tamboran in Belcoo. He fought tooth and nail against it and did not want investment in his constituency when it came to that opportunity.

#### 4.30 pm

You could say that Mr Flanagan was less than lukewarm about the G8 summit coming to Fermanagh, despite the global exposure that Fermanagh was going to get from that for tourism opportunities. It is fair to say that he was hostile to the G8 coming because of political ideology, and behind the motion is a political ideology driven on a Marxist theory that you can force investors to put their money in a particular area. That is not how the market works. As much as some may want it to be, you cannot force private investors to put their money in particular areas.

What you can do, however, is try to create the right environment for that to happen. Mr Flanagan may want to look at his colleague Bronwyn McGahan, who organised a seminar in July for jobs to do with a rural business investment scheme. She encouraged people to come to Fermanagh and South Tyrone so that people will get jobs. She took, in my view, a more positive approach, as opposed to Mr Flanagan's approach of doing down the Ministers involved and demanding that you force people to come into an area. Maybe he should speak to his colleague and ask, "How can we create the right environment for this?"

A real opportunity exists for Mr Flanagan to put pressure on his own elected representatives on Fermanagh council, because the Assembly has increased, through the reform of local government, the opportunity for councils to be the economic drivers and to set targets. So, put the pressure where it should be, as I do in my constituency on Lisburn and Castlereagh City Council. Put it on Fermanagh council by asking what it is going to do to get people to come into its area to create jobs. I have no doubt that Invest NI, the Enterprise, Trade and Investment Minister and the deputy First Minister will get fully behind the efforts of Fermanagh and Omagh District Council, from which the pressure and demand should rightly be coming. Let the council bring it forward, so that can happen.

Ultimately, these are commercially led decisions. However, let us create the right environment and context to attract businesses to all of our constituencies and do that in a positive way, not in the way that I believe Mr Flanagan wants, which is by setting specific targets to seek businesses to go into places where they will simply not go if it does not stack up for their bottom line. We need to recognise that that is how the market operates but shape the environment to attract them to our communities. I think that Mr Flanagan can learn, even from his colleagues, about how to go about doing that. Indeed, Mr Ó Muilleoir, a former Mayor of Belfast, may be able to help him on ways to be proactive and constructive on these issues rather than negative.

Finally, let us just dismiss this idea that, from the very foundation of the state, there has been discrimination against Fermanagh. That, to me, almost suggests that

Arlene Foster announced 800 new jobs in Enniskillen because unionism took the seat back from Sinn Féin. Maybe Enniskillen got 800 jobs because Michelle Gildernew lost her seat and unionists are back in Fermanagh and South Tyrone. It is a nonsense.

**Ms Fearon:** Go raibh maith agat, a LeasCheann Comhairle. The Member almost made it sound as though Marxist theory was a bad thing, but I will not get into that.

I welcome the opportunity to speak on the motion. As we have heard, economic imbalances are particularly evident west of the Bann, in unionist and nationalist communities in north and west Belfast, and along the border corridor, which will be the main focus of my remarks. It is important that we recognise levels of regional economic imbalance, and it is welcome that the Programme for Government commits to tackling this problem. However, we have to ask how effective the actions taken have been.

In 2010, 29.7% of the North's gross value added was in Belfast. In 2013, that had increased to 31.4%, which suggests a further concentration of economic activity in Belfast. The motion refers to the need for infrastructure and telecommunications, and I cannot stress enough how important it is that we ensure that broadband is available to everybody. In my own area of south Armagh, it is crazy that a local construction firm takes hours to download a simple tender document due to poor connections. So, it is important that we invest seriously in improving broadband provision and address "not spots" across the North.

People and businesses in the border corridor, including those in my area of Newry and Armagh, face a unique set of circumstances. The response to that must be tailored to those needs. The Minister should seriously consider the proposal of a border development zone. Historical lack of investment has ensured that the border region suffers higher levels of unemployment, emigration, deprivation and stunted economic growth.

Given the prevalence of the border in everyday life, solutions to this must be cross-border in nature.

The island-wide economy generates £3 billion annually, with significant potential for growth. There are already some cross-border initiatives that can be built upon. I believe that InterTradeIreland must be supported in its work — and it has made such a difference in my area — as should Newry, Mourne and Down Council and Louth County Council's memorandum of understanding.

Targeted and sustained action over a period of time from both Governments, North and South, could make a real difference to the lives of citizens in the border region. However, these area-based initiatives will only go so far towards a solution. They play an important role but are incapable of transforming the local economy on their own. Areas are being given responsibility for economic development but not really the resources and policy levers required to deliver it. Basically, it is responsibility without power.

Initiatives that focus specifically on the disadvantaged area are important, but we must not ignore the operation of the mainstream economy, which is actually what produces and reproduces patterns of inequality. We need a new approach, and we need to focus on structural change that complements the targeted initiatives. We need fiscal powers so that we can deliver a transformation in



economic policy and performance. A more progressive tax system, a living wage for all and a focus on the economic inequality between the rich and poor will go a long way to addressing regional imbalances that exist.

Encouraging as it is to see such interest in our economy from overseas, I think that caution must be given to a reliance on FDI over the growth of our indigenous SMEs, which have been the backbone of our local economy for some time. We have seen the indigenous sector in the South of Ireland almost being sacrificed to appease multinationals. I do not think that we cannot allow that to happen. Investing in local sustainable growth and innovative approaches will be key to a successful economy in the long run.

Focus must also be given to the types of jobs that we are creating in regions. We have a really highly skilled, young and talented workforce, who need opportunities to develop at home. The brain drain that politicians love to decry so much will not be solved by investing millions in call centres; they, among other things, are the cause of the brain drain.

I welcome the motion. I believe that subregional targets should be taken on board. Any steps taken to address regional imbalance in job creation must be outcome focused, and I hope to see a more collaborative approach to building our entire economy.

**Mr Girvan:** I oppose the motion. I appreciate that we look at Northern Ireland's economy as a whole. The phrase that everyone keeps using is this: a rising tide floats all boats. Money spent in Northern Ireland has a ripple effect, no matter where it is spent. I appreciate that there might well be areas in Northern Ireland that seem to have been, for some reasons, whether geographical or other, excluded from opportunity for investment. I do not accept that that has been due to religious or political bias.

We live in a Province where you can travel from one side to the other in less than two hours. I had the opportunity to visit England recently, where I met people whose daily commute is three and a half hours to work and three and a half hours home. That is quite a bit out of their day, and that happens in certain areas of the south-east of England. Those people make a decision on that.

If you look at London, it has sucked the life out of some of the small areas around it. It has been the magnet for a lot of major industry and major business. The same has happened in Northern Ireland with Belfast. My colleague in South Antrim made reference to what goes on in our constituency. Many of our people commute to Belfast on a daily basis to work. I appreciate that Belfast has become the economic hub of Northern Ireland, and it is good that we have somewhere that has easy access to rail and road transport links, boats and air connectivity.

We have work to do on improving our infrastructure. There are areas where we need to improve infrastructure.

Half of my family live in the Fermanagh area — my mother is from Fermanagh — so I appreciate that there are difficulties in certain rural settings. However, a fund has been set up that is helping to deliver local economic development in rural communities through the local action groups (LAGs) that were set up through the Department that the party opposite's Minister has control of. They have the opportunity to deliver economic development in rural communities. Some areas have more money than others.

South Antrim, which I represent, has a minuscule amount of money for its LAG this term compared with other areas, and that is simply because a large part of my area is classed as urban. As a consequence, it has not availed itself of as much money.

There are areas that we need to focus on and improve. We need to ensure that we get a fair crack of the whip. As far as inward investment, visits and opportunities for firms to come in are concerned, nobody goes out wilfully to discriminate or to ensure that they do not visit west of the Bann or west or north Belfast. My colleague from North Belfast will be only too glad to say that it is vital that one region of our capital city is not excluded. It is important that we all get a fair crack of the whip. As far as I am concerned, people should not be brought here and told that they have to locate their business in Dungannon or Enniskillen. They will pick what they believe is the proper economic heartland that will best meet their purpose.

We have a job of work to do on infrastructure. However, I mentioned earlier that Northern Ireland is so small a country that we cannot say that we should try to ensure that we do not have jobs five miles down the road because the area that I represent will be excluded, which is somewhat petty. We have to see Northern Ireland as a whole —

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

**Mr Girvan:** — look at the big picture and ensure that we deliver for the whole Province.

**Mr Nesbitt:** I stand as a substitute for my colleague Sandra Overend, who has been called away for personal reasons. Hopefully, Mid Ulster's loss will be Strangford's gain over the next couple of minutes.

Economic inactivity in Northern Ireland stands at an astounding 27.6%. In other words, more than one in four of the working-age population is economically inactive. That is shocking in its own right. By way of benchmarking, it is many percentage points higher than the rate in the rest of the UK. It has also increased here in the last quarter, as it has in the last year. While a joint DETI/DEL strategy to tackle the issue was announced in April, it is fair to question the capacity of the Executive to deliver on such commitments.

It should also be argued that the time for joint DEL/DETI strategies has long gone. The Executive endorsed the recommendation of the independent review of economic policy that we should establish a single Department of the economy, but hey ho, that recommendation is only six years old and economic inactivity is only 27.6%, so why rush? The logic of a single Department is beyond dispute. I am glad that it may come eventually with the proposed restructuring of the Executive. However, that alone will not tackle economic inactivity. I make no apology for returning to the theme of mental health and well-being. There can be no doubt that poor mental health explains in a significant part why so many of our people are unable to enjoy the benefits — financial and psychological — of being economically active. A successful strategy must be a cross-cutting one embedded in the next Programme for Government.

A week seldom passes without somebody challenging me to tell them what the Executive have done to create jobs in my constituency of Strangford. Down the years, we

have taken big hits, not least in and around Newtownards and on the peninsula. However, there is hope, which can be turned into reality if there is a strategic approach to regional balance that recognises subregional strengths. I would like to illustrate two that are perfect for Strangford. One is agrifood: the produce from land and sea is of the highest international standard. As we know, the Comber potato enjoys protected geographical indication status, and agrifood companies such as Willowbrook Foods, Sparky Pac and Mash Direct, to name but three, seem to be in constant expansion mode, along with the likes of Pritchitts on the Kiltonga estate, which recently opened a world-class logistics facility. There is conglomeration potential for agrifood businesses in and around the peninsula, a potential that can currently be classified as truly limitless.

#### 4.45 pm

The other area is renewable energy. Strangford led the way with SeaGen, which was a world-leading experiment in tidal energy generation. It has spawned several other experiments of global significance, bringing a focus to the area. Draw a line from where SeaGen began, at the mouth of the lough, up to Newtownards, where the local regional college, SERC, has specialist units looking at applied energy research, and go onward to Queen's Island and the work that Harland and Wolff has been doing in the area of renewables, and you have an energy corridor that is ripe for development at a time when economists predict that thousands of new well-paid jobs are possible in that area.

In fairness, the motion notes key fundamentals that investors are looking for by way of skills and infrastructure. We must ensure that our young people leave formal education with the skills required by employers. If the Executive were serious about addressing regional economic imbalances, we would not be disinvesting in further and higher education as we are currently, with cuts to staff and student numbers that will have a detrimental impact on communities across Northern Ireland. We cannot expect sufficient jobs and investment if we do not, first, invest in the next generation workforce.

I can see the justification for subregional targets in the next Programme for Government, but there is no guarantee that they will be met. The Republic introduced regional targets for half of all investments to be located outside Dublin and Cork, but those targets were never met. It is my view that the focus of the next Programme for Government should be on improving our human and physical capital, investing properly in skills and infrastructure, and ensuring that, as a whole, we have an attractive location for investment and job creation, with recognition of the unique economic and physical characteristics of subregional areas of Northern Ireland.

**Mr Humphrey:** I oppose the motion. I was appalled at its narrow, party political and, indeed, sectarian nature. I was appalled, too, at how it was moved by the Member from Fermanagh and South Tyrone. The nature and way in which he did so did no service whatsoever to the people of west Belfast and north Belfast whom I represent. In fact, he took away from the point that, I think, he was trying to make. Funnily enough, he also failed to mention the investment made in the west of the Province, in the constituency of Foyle, and, indeed, the huge investment made in the city of Londonderry — and it is Londonderry.

It has been a bad week. We have lost 860 jobs. That is a hammer blow for people in Ballymena, in particular, and

in the basin that surrounds that town in County Antrim. I took an interest in what the Minister said earlier about the work that he will do and the work that he will undertake with colleagues to try to ensure that employment and investment are brought to a town that has been deeply affected in the last year, as we all know.

Economic conditions continue to improve. Unemployment is down, the number of jobs has increased by 30,000 in three years, to March of this year, and growth in economic activity continues. We continue to witness growth in the rebalancing of the economy, which is essential, in the private sector, which is vital and, of course, in exports. It is essential that the Northern Ireland Executive continue to review, update and refocus their economic strategy for growth and rebalancing the economy. The target of improving Northern Ireland's economic growth, with a particular focus on export-led economic growth, is, I believe, key.

As Members will know, I am a Belfast Member. However, it is critical that the focus is on Northern Ireland, holistically. Belfast is a huge subregional economy in terms of its population, commerce, tourism, transportation, industry and finance.

Belfast is a key economic driver. Investment, whether it be by local, regional or national government or the private sector, does not simply benefit the ratepayer and taxpayer in the city of Belfast. Those who work in the city, those who visit it, particularly those who stay overnight in the city's hotels, those who invest in it and those who live in its suburbs and satellite towns all benefit from investment in Belfast and its regional economy.

The rising tide, as Mr Girvan said, must lift all boats. This is consistent with DRD's regional development strategy and the independent review of economic policy. City and town centres should be recognised as catalysts for economic growth. In large towns and cities, that investment can vary significantly. Compare the investment that there has been in north Belfast with that in west Belfast or east Belfast. North Belfast has received significantly less investment, and I ask the Minister to address that when he replies to the House. The reality of investment in this city is that people need to be mobile. Therefore, the upgrade of transportation and infrastructural improvements to facilitate that mobility are key for our workforce.

**Mrs McKevitt:** Will the Member give way?

**Mr Humphrey:** Yes, I will give way.

**Mrs McKevitt:** I agree with the comment that the Member has just made about investment, but I would like to hear his views on the announcement this evening that the IT centre of CVS Caremark is to close with the loss of 70 jobs. It was my understanding that this was a firm that, last year, announced that it wanted to grow from 70 to 150 employees. I know that, in 2012 and 2014, Invest NI offered it grants — in excess of £725,000 last year. What are the Member's views on that? We have offers of investment, yet firms are still leaving.

**Mr Humphrey:** Obviously, I am very sad to hear about anyone losing their job. I am not over the detail that the Member has talked about, but I am sorry to hear about anyone losing their job. I am sure that the Minister may well touch on that when he comes to respond to the House.

To maximise growth and investment, we must have a clear, joined-up approach. For example, in tourism in Belfast, hotels, bars, restaurants, shops, retail, tourist attractions and of course transportation are key. They represent thousands of jobs and hundreds of employers. The joined-up approach by Invest Northern Ireland and the new Tourism Northern Ireland are essential. The marketing and promotion of Northern Ireland are key. Belfast and Northern Ireland are dealing with a reputational and perceptual problem because of the Troubles and terrorism. One positive that has come out of a negative is the once-divisive issue of the cultural mix of our city. Diversity is now a positive. More than 50% of tourists who travel the world are cultural tourists. That positive is something that Belfast has exposed in its most positive way. The good relationship between Northern Ireland, the Government of the Irish Republic and the councils that straddle the border is positive and of benefit to the taxpayer in both jurisdictions. In economic growth, health, tourism, transportation and energy, it is positive. However, economic cooperation and benefit between the Northern Ireland —

**Mr Deputy Speaker (Mr Dallat):** The Member must bring his remarks to a close.

**Mr Humphrey:** — and Republic of Ireland economies can go only so far. Remember that IDA and Invest Northern Ireland will compete for inward investment across the globe, and the Northern Ireland Tourist Board will compete with Bórd Fáilte to get people to come and stay in Northern Ireland. I have much more to say, but I will conclude by saying that I oppose the motion.

**Mr Bell:** It has been an interesting debate for the most part. I welcome the opportunity to respond to a motion — I was going to say, “a motion that had been so ably proposed”, but, if we compare the contribution of the first contributor with that of the second Sinn Féin Member, we see that the difference is chalk and cheese with regard to quality, content and ability. Northern Ireland's economic recovery is now well established. It is evidenced by the labour market. August witnessed a further fall of 1,100 in the number of people claiming unemployment benefit, which is now more —

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

**Mr Bell:** Yes.

**Mr Durkan:** I thank the Minister for that statistic. Whilst we certainly welcome a reduction in the number of people who are unemployed, does he have a corresponding figure for the number of people in employment? Has there been an increase in the number of people in employment?

**Mr Bell:** The figure that I will give the Member is from the last period from 1 April, which is 2, 532. We have witnessed a further fall of 1,100 in the number of people claiming unemployment benefit — 24,000 below its previous peak. The economy has added 30,000 jobs since March 2012, a fact that seems to have escaped the Ulster Unionist Benches. I encourage them, please, to stop talking Northern Ireland down.

**Mr Nesbitt:** I thank the Minister for giving way. I note that he says that 30,000 jobs have been created since 2012: how many have been lost?

**Mr Bell:** The numbers that I have in front of me show that we have created 2,532 jobs. Externally, we have brought

in 1,991 jobs, and locally we have brought in 541 jobs. It is my understanding that the number of jobs that we have created exceeds the number that we have lost. Can I say to the Member, “Please stop talking Northern Ireland down”? There is no advantage in talking Northern Ireland down. The business community that I speak to is asking me to help to build confidence in Northern Ireland. That is why we see the falls in unemployment of 1,100 that you did not mention; that is why we see the fall of 24,000 that you did not mention. I do not know whether it is just that you do not want to allow the DUP to take some credit for 30,000 jobs since March 2012. That, to a certain extent, is fair enough, but please do not damage Northern Ireland by talking its skills and its people down.

The proposer of the motion made a very direct attack on the previous Minister of Enterprise, Trade and Investment. I ask anybody out there who is prepared to listen and review the evidence to consider two things. Under her distinguished tenure, more jobs were created for Northern Ireland over a four-year period than had been created in Northern Ireland since we started to keep records. More jobs were created under Arlene Foster's leadership in four years than had ever been created before. There was more foreign direct investment on Arlene Foster's watch per head of our 1·82 million people than in any other part of the United Kingdom.

I heard Mr Cochrane-Watson. Having listened to Sir Reg Empey holding the DETI brief and now listening to Cochrane-Watson do damage to the economics of Northern Ireland, I think, “How are the mighty fallen”. He fails to understand the critical points. To be fair to Danny Kennedy, he was part of the Ulster Unionist/Sinn Féin Executive that they keep referring to for many years before they dropped out before the election only to retake the post after the election. Of course, having dropped out of the Executive, had my colleague Michelle McIlveen not taken the post, the Ulster Unionists would have given Northern Ireland its first nationalist majority in the Executive. Good luck trying to sell that one on the doors to unionists. I say to Mr Cochrane-Watson that, at a time when we are creating more jobs than Northern Ireland has ever created, with the net number of jobs created being 29,520, that is the time for serious politics to talk Northern Ireland up. Now is not the time for the economics of Oliver Hardy.

**Mr Humphrey:** I am grateful to the Minister for giving way. As a member of the Enterprise, Trade and Investment Committee, I can assure the Minister that — colleagues from across the House will bear this out — when business people, business organisations and investors come before the Committee, the message is consistently the same: there needs to be political stability in Northern Ireland for people to come and invest. Indeed, we heard that again only this morning.

**Mr Bell:** The Member makes his point very well. We will get onto the meat of the discussion, but there is one final thing to say. Mr Cochrane-Watson could learn a little from Mr Nesbitt, who was able to make his way through a constituency that we share and show all the successes. Unfortunately, Mr Cochrane-Watson does not appear to know what is happening in RLC or Schrader or what is happening with the hundreds of new jobs in Randox. He does not appear to know what is happening with Moy Park. All of that has a direct impact —

**Mr Cochrane-Watson:** Will the Minister give way?

**Mr Bell:** Yes.

**5.00 pm**

**Mr Cochrane-Watson:** I remind the Minister of what is happening in Ballymena in North Antrim that is having a massive effect on my constituency. I estimate that there could be upwards of around 500 job losses from JTI and Michelin, as well as the impact that there has already been from Patton. I want to remind the Minister of that while he is wanting to remind me of what is happening in South Antrim.

**Mr Bell:** I think that people will justifiably ask why the Member for South Antrim is so ignorant of the hundreds of new jobs in Randox. Why is the Member for South Antrim so ignorant about the world-beating technology of Schrader? Why is the Member for South Antrim so ignorant about the jobs that are provided to people in South Antrim by Moy Park, where there is some of the best technology and the safest food anywhere in the world? Why is the Member for South Antrim so ignorant of the huge profits that are made by Wrightbus? People will not understand that level of ignorance of the constituency and of the economy.

There is positive news coming from all our main sectors. The construction sector has been our sector most impacted on during the downturn. It posted its highest growth output in three years. The service sector's output and number of jobs has grown. Service-sector job levels are now above their previous peak from 2008. Despite the recent bad news about Michelin, I say to Members who would seek to grandstand politically for their own narrow, sectional interests about Michelin, listen to what the company said. It said that there was nothing more that Invest Northern Ireland or DETI could have done. We faced a reduction in the market of five million truck tyres and competition from Asia caused by fluctuation in the euro. The company said that there was nothing more that could be done, and Unite the Union is on record as saying that there was nothing more that government could have done to save that particular factory. When people ignorantly speak of hands on ears, or when they make up and fantasise words that I never said, I challenge them to come with me on a journey —

**Mr Cochrane-Watson:** Will the Minister give way?

**Mr Bell:** You have given us enough nonsense already.

Come with me on a journey, a journey that will lead us to 30,000 new jobs in Northern Ireland.

I am sure that the deputy First Minister, when he has a chance to review the Mr Flanagan's comments on corporation tax, will be embarrassed to say the least, given that he as deputy First Minister stood on a platform in Belfast with me as Minister of Enterprise, Trade and Investment calling for corporation tax to be devolved to Northern Ireland. I have to say that the Speaker previously referred to Mr Flanagan as behaving like a child. His contribution this afternoon leads me not to depart from Mr McLaughlin's words, because it was the economics of a child.

Northern Ireland has a unique opportunity to create 30,000 new jobs. Those are not my words but those of the Economic Policy Centre.

**Mr Flanagan:** I thank the Minister for giving way. He is getting very personal in his remarks. He makes these

comments that what was said about the 30,000 jobs are not his words. If they are not your words, come up with some of your own, because they are the only solutions that you are offering, Minister. What have you got for the energy crisis? What have you got for regional disparity? What have you got for the growing cost-of-living crisis? You have not got anything. All that you have got is corporation tax, and that is not the solution to the problems that we face here and now.

**Mr Bell:** The words on corporation tax were the words of the deputy First Minister, which you are contradicting. Further to that, when I was saying that they were not my words, I was going to tell you that they are the words of Professor Neil Gibson of the Economic Policy Centre at Ulster University. He is rated in the top three economists in Northern Ireland. Is anybody in Northern Ireland going to listen to Mr Flanagan, or will people listen to the Economic Policy Centre at Ulster University? Of course regional disparities exist. They exist in all countries. They exist in London and in Dublin. In the UK, regional variations exist, despite, for the most part, economic and fiscal policies being identical. The Member put to me a direct challenge, asking what have we done on energy costs. I do not know where the Member has been. It has just been announced this week that Bombardier, from the manufacturing sector, has, as a result of what I led with in the House, got all the finance stacked now for a project of over £100 million that could lead to its energy costs being brought down by a full quarter.

Where have those Members been? Michelin was offered three quarters of a million pounds to do that.

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

**Mr Bell:** Let me make more progress on the issue of the Province.

There are undoubtedly subregional differences, but let me tell the House clearly that I will fight for a job anywhere in Northern Ireland; I make no exception. I will certainly not tell somebody in Northern Ireland that, because we do not have a little target here, I am not going to take their investment; I am going to take the investment because, according to the census, 40% of people in Northern Ireland operate outside their parliamentary constituency. So, every job brought to Northern Ireland means that we are one step further on the road to economic recovery.

**Mr Durkan:** I thank the Minister for giving way. He referred to the regional disparities that exist in the UK. Has he looked at the tools that have been adopted or introduced to tackle those disparities, namely city deals? Does he see and accept the merits for a city deal to tackle the economic regional imbalance here, namely for Derry and the north-west?

**Mr Bell:** In terms of Londonderry, I have met the Member of Parliament for that area, and, as the Member will know, that is a matter between us. It is also a matter that is reserved in parts to the UK Government, and we will try to progress that. Again, I think that we should talk up the skills of Londonderry. When I came to office — just to name two — Metaverse Mod Squad created 100 jobs and OneSource Virtual created 289 jobs. So, progress is being made in Northern Ireland. There is no party political advantage in trying to talk Northern Ireland down.

What we have to do in the future is bring jobs directly to Northern Ireland. It is difficult, and I understand that people want to be near an airport. If somebody wants to



come and invest in Belfast — I hope that Mr Ó Muilleoir refers to this when summing up — they will look at the success of areas such as south Belfast where jobs are accessible. I know that it is difficult to travel. I travelled for five years to a job in Omagh, but I travelled because there was a job there and I could take all the benefits from it.

So, while we will encourage people and will look in the round, we will never, ever say to a company, "Do not invest in Northern Ireland because that particular area has met its targets", because I do not want that company to go to Manchester or Liverpool; I want it in Northern Ireland. If it has to be Belfast, I want it in Belfast. Personally, I am with the Member who spoke earlier in wanting to have it in Strangford, but we want jobs in Northern Ireland.

What we need to do collectively is look at where we are at. We are creating more jobs than we ever created before. Under the Ulster Unionist and Sinn Féin Executive, which we were a part of, we set a Programme for Government, and that Programme for Government asked Invest Northern Ireland to create 25,000 jobs. That was the target set. Unusually, we have had a chance to reflect on where we are. It had a target of 25,000, and it created 37,000. Foolish people who say, as Mr Flanagan did, "Only go for jobs above the private sector median average" have no idea that many young people in Fermanagh need to get on the job ladder and are not graduates. I make no apology for trying to get jobs for those people to get them on the employment ladder, given all the physical and mental health benefits that job creation can provide.

So, we will look to build across, but we will also ensure, in opposing the motion, that we attract investment to Northern Ireland and do nothing to deter it.

**Mr Ó Muilleoir:** Go raibh maith agat, a LeasCheann Comhairle. Tá áthas orm críoch a chur leis an díospóireacht seo.

I saw the former Minister, Arlene Foster, come in at one point. I think that she was here to pour oil on troubled waters, but she left fairly rapidly, perhaps to deal with more important issues at hand. It was the former Minister who referred to opportunities, rather than imbalances, when we addressed the issue of disparities. I think that that is the right approach. I note that, when my colleague Mr Flanagan put the case of why we are where we are, no one disputed that. All economies have imbalances and disparities, but the reasons here are historic, and they are because of the place that we have been.

The challenge for us is to move beyond that in the time ahead and to find a way — and I heard the frustration coming from Mr Durkan, who has just left us — to even out the prosperity to ensure that the peace dividend goes right across the jurisdiction. I suppose the burden of blame has to be carried by all of us that we have not made enough headway in ensuring that people right across the jurisdiction have enjoyed more of an economic uplift in the 20 years of peace, which Mr McGlone talked about.

My colleague Mr Dunne went in to bat for Invest NI, and good for him. He extolled the virtues of the great job that it has done. Of course, it was helped by some of the European rules at that time, but no one will dispute that it has done a stand-up job in bringing in jobs and selling the opportunities here. He also said something very pertinent. He said that tourism west of the Bann is totally undersold. I agree with that, and I think that we need to

focus on that and concentrate on that. I will venture that, if you were to go to Donegal and see the Wild Atlantic Way, you would see that our colleagues south of the border are a little bit ahead of us. I see the beauty of Fermanagh — if I am allowed to say that in front of my colleague, and I hope that he does not get too emotional — the beauty of the Fermanagh lakes and our inability to build a really prosperous, strong tourism industry around that is something that we need to examine and see how we can do better in the time ahead.

Mrs McKevitt referred, in her intervention, to jobs lost again today. It is another hammer blow for another 100 people. CVS Caremark, a Boston company that received support from Invest NI, is closing up shop. That is a matter of regret, and our support should go to all those who have lost their jobs, and we should try and do what we can to find alternative employment or training for those people. It is important that that is mentioned today because, as Mr McGlone said, those are the difficult times that we live in, and it has been evidenced again and again. It is the misfortune of our current economy Minister that he has come in at a time when there has been a really bad run of job losses. It is incumbent on all of us to tackle that in the time ahead.

I thank Mr Cochrane-Watson, the Keynesian heavyweight of the Ulster Unionists, for coming here and educating us. *[Laughter.]* All we wanted you to do was build the A6. When we talk about imbalances, it is not all Invest NI and it is not all the Minister; every one of us and every Department — someone mentioned the Agriculture Department — has a role to play. All we wanted you to do was to build the bloody road to Derry — the A5 — and finish the A6 as well.

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

**Mr Ó Muilleoir:** I will not give way just yet. North Down has spoken, and I am going to get to North Down and Strangford now. The other fantasy project from Strangford was to have an energy corridor, and I look forward to seeing the budget proposition behind that energy corridor in Strangford and, in the time ahead, to seeing the Ulster Unionists argue within or without the Executive for the money to build the energy corridor that Mr Nesbitt spoke about.

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

**Mr Ó Muilleoir:** Not just at the minute. I thought that I gave a fairly good summary. I want to move on to Mr Lunn. He made good points. I cannot understand why there is going to be a division on this motion. If subregional targets were an issue, it is something that we should have discussed before we came and split the House and ended up in an acrimonious discussion today. Mr Lunn made the important point that perhaps there is more that unites us than divides us, especially when there are other matters and talks going on in this estate. He also asked how often the ministerial subgroup on regional opportunities meets. I think that is a fair question. Mr Durkan told us that it has met twice, but it has not met because of the difficult political times. It is our hope — and I think that Mr Lunn referred to this — that we can get back to work again and get the focus back again on trying to raise all the boats to try to ensure that the prosperity extends to all communities, and on all sides of peace lines in north and west Belfast in particular.

Mr Givan lamented the Belfast/Lisburn competition but accepted that Lisburn has its own strengths and that many people in Lisburn commute into Belfast. We all understand that there has to be mobility among our workforce. That is one of the reasons why we are encouraging young people to take opportunities as they arise. Mr Givan brought the issue back again to jobs. Regardless of our differences and regardless of the minutiae of the argument, jobs, growth and investment are what unites us.

#### 5.15 pm

Megan Fearon brought suggestions for new proposals to the table about a border economic development zone. We should look at that. In that context, the cutbacks to InterTradelreland by both Governments worry us, but the Newry/Louth memorandum of understanding that she mentioned is an example of positive development. The Minister referred to that as well.

I am convinced that there are innovative and exemplary projects out there from which we can learn, such as, in particular, the North West Science Park in Derry and Letterkenny. I endorse what the Minister said about Metaverse Mod Squad and OneSource Virtual in Derry. We also need to put our money where our mouth is. We need these magnets of attraction, and, in that context, what has happened in Mr Humphrey's constituency — he mentioned North Belfast in particular — with the innovation centre at Forthriver is exactly the way we need to go. We need to make it as easy as possible for potential investors to go into areas where they perhaps have not gone before and where we have not seen as much investment. In that regard, we need to have the broadband problems that Ms Fearon referred to sorted out and we need to make sure that, as was referred to previously, during familiarisation visits, potential investors go everywhere. It is one thing to say that we cannot force an investor to go into an area — of course we cannot — but we need to make sure that they get a proper introduction to every area.

I want to finish by agreeing with Mr Givan who, I think, referred to the new opportunity with 11 councils rather than 26. It is my view that this needs to be an era of partnership, and there is a possibility that we can have good news for all our people this week. We need to move away from division and pointing to one area doing better than another. The councils can lead the way, and Invest NI can have a real partnership with councils. We also need to have a partnership with councils that will lead to the type of jobs, investment and growth that the Minister spoke about in his closing remarks. I support the motion and have no doubt that, in the time ahead, around the Executive table and around every part of the Chamber, my colleagues will get a chance to talk out the opportunities that exist across the jurisdiction and how we will deliver on them.

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

**Mr Deputy Speaker (Mr Dallat):** Too late.

**Mr Cochrane-Watson:** On a point of order, Mr Deputy Speaker. It is a matter of accuracy. Reference was made to Schrader Electronics, which is a flagship company in my constituency and a huge success story for Northern Ireland. I do not want the Minister of Enterprise, Trade and Investment to be travelling the world and be ignorant of the fact that it is now called Sensata following the \$1 billion purchase in August 2014 and that it has been rebranded.

As he comes to Antrim, he will see the sign. I do not want him to be ignorant of that.

**Mr Bell:** Further to that point of order, it was Schrader itself that informed me that it wants to create 241 jobs with the support of Invest Northern Ireland, and it was Schrader itself that said that it is delighted with the fact that it has created 301. You do not seem to know very much about your constituency.

**Mr Cochrane-Watson:** You do not know the name of the company.

**Mr Deputy Speaker (Mr Dallat):** Order, please. Could I bring this cosy little debate to an end?

*Question put.*

*The Assembly divided:*

*Ayes 38; Noes 47.*

#### AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr Byrne, Mr Dickson, Mr Durkan, Ms Fearon, Mr Flanagan, Ms Hanna, Mrs D Kelly, Mr G Kelly, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Ms Sugden.*

*Tellers for the Ayes: Ms Fearon and Mr Ó Muilleoir.*

#### NOES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

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

*Question accordingly negatived.*

**Mr Deputy Speaker (Mr Dallat):** Members will take their ease for a moment while we change the top Table.

(Mr Speaker in the Chair)

## Assembly Business

**Mr McGlone:** On a point of order, Mr Speaker. Earlier today, during the debate around renewables, the Minister put on record and said that I had committed to a certain course of action during a meeting which I had with him on 2 July. That was erroneous, if not misleading. I have the full minute of that meeting with the Minister, which I can give to you, Mr Speaker, and I request that you check the accuracy of that minute, taken impartially by an Assembly official, with the comments made by the Minister, please.

**Mr Speaker:** I will have to consider carefully whether that is in fact the best approach but, until I have had that chance to reflect on it, I will be quite happy to receive the document. There has to be at least the possibility that this can be resolved between the officials of the scrutiny Committee of that Department and the Minister, on the basis of the records that they keep, so I just want to reflect on that. I recognise that the comments were made in the Chamber but, without the verbatim information in front of you, you can have disputes and different memories. Is there not another way of dealing with this issue that would be less —

**Mr McGlone:** I hope that there is not a clash of responsibilities. You were actually on the Committee at the time that this all went on, and you would have been privy to the briefings that were received. I suggest, Mr Speaker, that you please look at what is committed to Hansard today and the clear, impartial record of the meeting held with the Minister, and reflect on the correct course of action to be taken.

**Mr Speaker:** OK. Just lodge the document with me and allow me the opportunity to consider the circumstances and the appropriate way to respond. I was actually present during the exchange between the two of you, and at the time I wondered who would have the best recollection.

## Private Members' Business

### Transport Infrastructure Funding

**Mr Speaker:** The Business Committee has agreed to allow up to 1 hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members will have five minutes.

**Mr Dallat:** I beg to move

*That this Assembly, mindful of the transport infrastructure in the north-west and conscious of the influence good transport infrastructure has in attracting new inward investment, asks that a special case be made to source the capital investment needed to complete the A5 cross-border project, the A6 dual carriageway, including the bypass for Dungiven, the final upgrade of the Belfast to Derry rail line that will ensure an hourly service, and the reopening of the Antrim to Portadown line to allow a direct service to Dublin.*

I am grateful for the opportunity to bring this motion to the Assembly, and I welcome the new Minister for Regional Development. I appeal for cross-party support for what I believe is a non-contentious motion.

Northern Ireland has come a long way in the last few years. While political issues have dominated the Assembly, we in the SDLP believe that there is now an opportunity to begin the process of identifying the other issues that are preventing the whole region from rising on the tide of change. The north-west — indeed, the west in general — is less attractive to potential inward investors because of the poor transport infrastructure, which is a legacy issue that can never be fully addressed by yearly allocations from the Executive to the Departments responsible for capital investment in roads, railways, airports and, in the case of the north-west, the ferry service between Magilligan and Greencastle, which, I believe, should be the joint responsibility of the two Governments.

Those issues merit special attention and the collaborative support of the British and Irish Governments and the European Union. Above all, the issues require Members to look outside their immediate territory, irrespective of which party they belong to. In recent years, projects described as “shovel-ready” tended to be successful. While that enabled financial deadlines to be met to spend money, it did not address long-standing need. Indeed, the shovel-ready approach, I believe, compounded the problem of regional inequality in relation to road infrastructure, in particular.

Allow me to move on. Increasingly it is argued that Northern Ireland must become more focused on generating its own economic activity. I agree. I also accept that potential inward investors cannot be compelled to locate their industries in one particular area because it is economically and socially disadvantaged. That happened in the past, but, all too often, when the grants ran out the projects folded and the entrepreneurs moved on to another economically deprived part of the world. The option open to us as an Assembly, therefore, is to address the infrastructural issues, which are clearly identified as labelling a region as economically and socially disadvantaged. There is clear evidence that if transport

infrastructure issues are tackled we can begin to address the causes of deprivation.

In the north-west, as I said at the beginning of my speech, the critical issue is the availability of decent road infrastructure to keep costs down when moving people, goods and, indeed, services from the regions to the centre of commercial activity and the ports. We have had some success in recent years in rail transport, which constitutes a small but critical part of our transport infrastructure. Already we can measure the success of investment in the Belfast area railway, which is increasingly bringing prosperity, not just to Derry and beyond, but to the towns that the railway travels through. A few years ago, senior civil servants, egged on by direct rule Ministers, recommended the closure of the railway north of Ballymena. They almost got their way. Recently, the Assembly invested £46 million to complete the third phase of the improvements, critical to making the railway the success that I believe it will be.

That work is progressing and should encourage us to keep our hand on the tiller in what I believe has been the most exciting period in the development of rail transport over the past 100 years. When finished, the Belfast to Derry railway will be able to offer an hourly service between our two great cities, and that will be a major factor in enticing potential inward investors to locate in the North and in the north-west. It also fulfils the dream that that railway will, in the future, become part of an all-island rail network, as I believe that it will when the Antrim to Portadown section is reopened, enabling a more direct route to Dublin and the rest of Ireland.

However, rail is only a small part of the renaissance of transport in modern times. Road is critical, and, here, the two major projects that have dominated modern thinking are the A5 and A6, which are the main arteries to allow the free flow of people and goods to the various outlets on this island. The A5 is, of course, a joint project with the Government of the Republic, and I am delighted that it is dominating the current talks between the British and Irish Governments, as well as our own Assembly. I have confidence that those projects will happen, but time is not on our side. It is highly regrettable that the A5 is not well on the way to completion in order to enhance the north-west and make it a more attractive place to invest in, allowing it to expand and become a truly vibrant section of a thriving economy.

The A5 project has been on the books for many years, but not as long as the A6 project, and especially the bypass at Dungiven, which I believe is now in its fiftieth year of planning in one shape or another. I ask myself this question: for how much longer can this go on? How much longer can the people of that town tolerate the pollution, congestion and road safety issues that they live with day and daily? However, the bypass is only part of the issue. Day and daily, sections of the existing roadway are little more than an elongated car park, where traffic is brought to a standstill as vehicles filter into the queues at various junctions in the struggle to get to Belfast and beyond.

Some time ago, when I was stuck in a traffic jam on the way from the airport to Nairobi, the capital of Kenya, I said to myself, "Am I back home? Is this the daily traffic jam at Moneynick on the A6?". It really was home from home, but Kenya is a Third World country experiencing economic and political problems on a scale much worse than we have had to live with.

Other countries have faced much more formidable challenges to modernise and upgrade transport infrastructure than we have, including emerging economies in the expanded European Union. Take Slovenia, for example, which, within a few short years of independence, created a new road and rail infrastructure second to none, including massive tunnels that linked the country with neighbouring countries that it does business with. Today, Ljubljana is an important transport hub. There is no reason that Derry and the north-west cannot enjoy the same success as a modern economic entity. That must, of course, include road rail, air and sea transport. However, the area needs investment, and that investment needs to be prioritised, in recognition of the historical events that prevented it from getting the investment that it needed to progress and be taken out of the category of "area with the highest unemployment and social deprivation". It can and will happen, and the Assembly can make it happen if there is a will and a way.

We do not have to go to Slovenia. Travel to Galway and see living proof of what happens when money is invested in transport infrastructure. See the transformation that has taken place and experience how it is to travel from Galway to Dublin without seeing a single set of traffic lights. Indeed, I understand that you can now travel the whole way from Galway to Belfast without seeing a set of traffic lights.

Let us be positive and build on the obvious successes that have happened in recent years. Let us do it together, because, as I said, if Northern Ireland is to be economically successful, all areas must rise on the tide of success. Investment in new trains created the miracle that is now the Belfast to Derry railway, carrying more passengers than the highly successful Belfast to Dublin Enterprise.

We need more miracles, but it will take more than prayer. It will take the determination of the Assembly, pulling in the same direction and setting in motion a plan and strategy over several years to ensure that the renewal and development of roads and railways really happens. All of us in every party can be part of that success. If we do nothing, the north-west will never catch up, and that is not in the interests of everyone.

In conclusion, I ask all Members of the Assembly to unite before the motion and demonstrate to the outside world that, as an Assembly, we can and will make this place work.

5.45 pm

**Mr Clarke (The Chairperson of the Committee for Regional Development):** I welcome the opportunity to contribute to the debate in my capacity as the Chair. I will add some comments towards the end in my own capacity.

I trust that it is in order to welcome the new Minister. I have been fortunate to attend one of her first ministerial functions today. I suppose the announcement of that will be next week in relation to the winter programme, and that was useful.

The Committee has consistently supported all four projects referred to in the motion. It was, after all, the Committee that put pressure on the previous Minister to bring forward the first phase of the Coleraine to Londonderry project in order for the City of Culture celebrations to be exploited to the fullest potential. We are thankful for that.



The A5 project has also been debated and has been subject to oral and written questions in the House on numerous occasions. It is also referred to at the Committee on frequent occasions by Members on the Benches opposite and, indeed, on these Benches. There is no division on it, or the A6, which is equally important to Members in the east of the Province and those who travel to Dungiven or Londonderry daily. The Committee has travelled to both those routes and has taken evidence from landowners and householders in Omagh — those in favour and those against. Again, there was an Executive commitment on the project. The economic climate in the Republic of Ireland and the judicial review in this jurisdiction have slowed that project considerably. However, as a Committee, we have also continued to liaise with counterparts in Dublin to ensure that the project is progressed. It does, however, remain a commitment, as is frequently evidenced in the North/South ministerial meetings. I fully accept that there will be little progress on the project in what remains of this mandate. However, the Committee would encourage the new Executive, and, indeed, the new Committee for Infrastructure, to ensure that that remains firmly on the agenda.

The A6 has been debated over the last 40-odd years. Whilst I am not as old as the Member who moved the motion, I know that it has been about for a considerable time, so I do not think that we are going to see any resistance from the Committee in relation to that.

I will add a few remarks in my own right. I know that the Minister is relatively new in post and that she has taken the opportunity to meet, for example, the Quarry Products Association Northern Ireland on the value that it would put into new road projects. It is not only them. I am sure that other Members will speak about pet projects in their constituencies. That is why I am happy to join this one today — because the A6 is actually in my constituency, albeit that it joins a considerable road from Randalstown right up to Londonderry. The members of the Committee will know that I and others made representation when we were up in the port of Londonderry a few weeks ago about the significance and importance of that and how it would be useful for everyone to join that up.

In speaking about the quarry products, we have to recognise that there have been considerable job losses because of the reduction in the budget and what the Minister — and, indeed, the previous Minister — had to spend. I suppose the motion does seem somewhat aspirational in relation to the amount of money that it is actually going to take to deliver the projects that are outlined. I think, previously, we heard that from the M2 to Londonderry was costing in excess of £350 million. If we just focus on that one scheme alone, we are talking about a considerable amount of money. However, it would be foolish for any of us to say today that we do not want to see that project, or, indeed, any other project, whether in the east of the Province or the west of the Province. They all bear a certain degree of merit. I do not think that anyone should be disadvantaged just because they are from the west of the Province. Given that the Executive have previously made a commitment for those projects, I encourage the Minister and her Executive colleagues to do whatever they can to expedite those projects and get them delivered as soon as humanly possible.

However, dare I put a wee sting in at the last? I mean nothing personal against the proposer of the motion, he and I have grown very friendly over the last number of months — I do not know how — but it is ironic how much has been wasted on welfare, and his party is one of those that have held back on welfare reform. Some £214 million in welfare reform fines have been handed back to the British Treasury to date. Had we had that £214 million, we could have built the road from Randalstown to probably three quarters of the way to Dungiven; we would have had a road and something to show for it. We would have secured investment and jobs for the Quarry Products Association and its members. Instead, that Member's party and the other Members opposite decided to stand in the way of welfare and progress and hand back £214 million. I am glad that the motion is bringing forward a project that will deliver and continue to move Northern Ireland forward for everyone's prosperity.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. I agree with some of the sentiments of the previous Member who spoke. I take the opportunity to welcome the Minister to her first debate and wish her well in the coming time.

I welcome the chance to debate the motion on infrastructure in the wider north-west area. I am glad that the A6 has been included in the motion, as it was omitted previously, and the Dungiven bypass, which I and many others have championed for many years. I do not want to rehearse all that has been said previously on that matter, but it has been a festering sore for locals and travellers alike in my town for some 50 years.

I also welcome the inclusion of the A5 and phases 2 and 3 of the upgrade of the Derry to Coleraine railway line. I am less certain about the reopening of the Antrim to Portadown line as a direct service to Dublin, and I often think that it might be preferable to examine reopening the Derry to Portadown line or to consider re-establishing the Derry to Sligo line, or the western arc as we like to call it, which would open up the entire rail network. I would also like to see a regular, year-round and adequately resourced ferry service on the Magilligan to Greencastle route.

The Committee for Regional Development recently visited Lisahally docks, and I certainly sensed a feeling by some that the railway line that runs through the docks may be a hindrance to the development of the docks instead of assisting the delivery of goods and services across the island. There is, of course, no stop, as yet, for passengers on the railway line at the City of Derry airport and no halt for the new DARD headquarters at Ballykelly. Also, despite the success of the 212 bus service from Derry to Belfast and, indeed, the proposed introduction of a round-the-clock service, there is still no park-and-ride for nearly 35 miles of the route.

However, we are here to discuss funding. Much was made of the opportunities that were provided by the Trans-European Transport Network, or TEN-T. That might still be doable, and, of course, £14.3 million went from that into the Derry to Coleraine railway line. Our focus should be on other sources of funding. Europe wants to see balanced —

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

**Mr Ó hOisín:** Yes, absolutely.

**Mr McCartney:** Would the Member agree with me that the north-west ministerial subgroup, which looks at regional

disparities, would be a good vehicle to assist in the process of seeking out funding streams?

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

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. I thank the Member for his intervention. The ministerial subgroup has come forward with a number of proposals, and it absolutely is a good vehicle for identifying some of the European funding sources.

As I said, Europe wants to see balanced regional development. The Juncker investment plan is worth €315 billion. Most of the European regional development fund (ERDF) moneys go into INI, almost two thirds of them, and a regional approach is advocated but does not happen. The ERDF has a monitoring committee whose job is to ensure balanced regional development. We should pressurise that committee to ensure that its commitments are fulfilled. There is also the European economic and social committee (EESC).

Last year, a scoping exercise by NILGA identified opportunities for local authorities through European Investment Bank (EIB) loans. That would not be reinventing the wheel, because, ironically, the A6 road in England was funded by alternative sources and brought together the council areas of Cheshire, Manchester and Stockport. The issue for the Assembly is that it cannot draw down loans on investment from the European Investment Bank, but local authorities can. Joint applications are no longer required as a power of competence, which means that local authorities could access those — the joint committee requirement is no longer needed. In effect, that means that a single council can apply for these. The former Minister, despite his flaws, was keen on this and he promised DRD buy-in. The EIB is also open to this. Certainly, guarantees must be given, perhaps under the UK guarantee scheme, but we need further political buy-in, and I welcome yesterday's intonations from the South on potentially funding infrastructure. However, we also require, of course, input from the Assembly, local councils and other source buy-ins. I again think of the ministerial subgroup there as well.

The Chair referred to the Quarry Products Association, and speaking on Radio Ulster's 'Inside Business' Gordon Best said that the maintenance of our road infrastructure, valued at £33 billion, was being carried out by default, through monitoring rounds that, unlike in the South and elsewhere, are not front-loaded and leave little in the way of wriggle room.

What do we need to do collectively? We need to build a case for transport infrastructure, particularly in the north-west. We need to look at the regional spread of the block grant spend. We need to ensure that the north-west is included as a priority in the Programme for Government. We need to challenge Departments, including DRD and DETI, on balanced regional development. We need to look actively at all alternative funding.

**Mr Cochrane-Watson:** Like other Members, I welcome the Minister to the House today. I also welcome the opportunity to talk to the motion, which our party is broadly supportive of.

We need a modern and sustainable economic infrastructure to support economic growth and help realise the visions we all have for the economy. Investment in areas such as transport, energy and telecoms etc will

make a difference to a more vibrant economy, moving forward.

The positive relationship between a modern, sustainable economic infrastructure and economic growth is well established. The quality of the business environment, including transport infrastructure, has been identified as a significant factor, alongside issues such as access to markets, labour supply etc. With that in mind, we are very supportive of a railway investment prioritisation strategy. I am pleased that, under the themes, the number one priority is the completion of the Coleraine to Londonderry line and to establish a modern, efficient railway service between Belfast and Londonderry and indeed Londonderry and Dublin. We very much welcome that.

Moving to the A6, I, like the Chair, my colleague from South Antrim, attended a Regional Development Committee meeting in Londonderry port. I am sure he would agree with me that driving conditions were horrendous on the evening we travelled along the A6. It really brought the issue of the A6 home to us, and we discussed the priority for the road at length that evening. I will just remind the House that more than 50 years ago, in 1964, the Northern Ireland Government announced plans to build a motorway from Belfast to Londonderry. Half a century on, we are still waiting. While the route east of the "city" of Randalstown is of motorway standard, the rest of the A6, as many of you know, is very much a single carriageway. So, we are very committed to seeing that upgraded. There are plans to upgrade further stretches between Belfast and Londonderry, but the most recent addition was the Toome bypass, and that took place over 10 years ago in my constituency of South Antrim.

We appreciate the need for the A5 to be upgraded. We are very concerned that £72 million, I believe, has already been spent on the project. I know that it has been a stop-start scenario. The promise of funding, which may be coming back again, and the court actions and so on, have caused stoppages to the project. However, again, we in the Ulster Unionist Party welcome greater connectivity between all parts of our Province. For me, in my constituency, there would be significant benefit, as my colleague Trevor Clarke identified for the A6; and there would be the enhanced railway links, not just to Belfast but to Crumlin, Lisburn and further afield to Portadown and Dublin.

We will be supporting the motion, but we highlight concerns. Capital expenditure is under a huge strain. Although this is deemed a priority, we also highlight the other priorities that are out there in the form of our schools, hospitals and other major public realm works.

Although we give a guarded welcome to the motion, we hope that it is not at the expense of other significant projects.

I echo the comments that have been heard in here today: had welfare reform been resolved, over £200 million would be available for these projects. I urge a resolution of that and urge that we move forward on the much-needed projects that were brought here by the proposer of the motion.

**6.00 pm**

**Mr Lunn:** I also welcome the Minister to her new post and wish her well.

I will say this for you, Mr Dallat: the motion is nothing if not ambitious. I have to agree with it because, if you are not ambitious, you will not realise ambitions.

I will deal with the Belfast-Londonderry train service first. It is not a service with which I am particularly familiar because I tend to drive, but the comparison with Slovenia or anywhere else on the Continent is correct: we are miles behind. The United Kingdom is miles behind countries that have far fewer resources and much less access to finance than us. I hope that that project will be completed sooner rather than later, because it is high time that it was.

The A6 project seems to have been going on for ever. I see it in different sections. It is a massively important road, but doing the whole upgrade is a massively ambitious project. A motorway from Belfast to Londonderry sounds terrific, and a cost of £350 million would not surprise me at all. There are real bottlenecks, including the Moneynick section, as we know it. I happened to listen to the radio traffic report today at 7.20 am, and the advice was to avoid the Moneynick Road. Apparently, it was absolutely chock-a-block and at a standstill before 7.30 am. For traffic management and speed of access, that is perhaps the most important section of the whole road, but it would not be good news for the people of Dungiven, who have been waiting, as somebody said, for close to 50 years since they were first promised a bypass. It is not purely a matter of traffic movement around Dungiven; there is also the question of pollution and the detrimental effect on the population. The last time that we debated this — it was not that long ago; about a year, I think — I came down in favour of Dungiven being first, if there was to be prioritisation.

The A5 intrigues me. Apparently, it is a priority project for Martin McGuinness. It is a stand-or-fall project, and the whole Assembly will collapse if we do not upgrade the A5. The section of the A4 from the end of the motorway to Ballygawley shows what can be done; it is fantastic. The main problem is from Ballygawley to Strabane, but the A5 also extends the other way, down to Aughnacloy. That is the reason for the Southern Government's interest in it: it is part of their overall strategy for an all-Ireland network. That is very laudable. I do not know the road, but I am told that the section to the south of Aughnacloy is single carriageway. It is not as if they have brought the dual carriageway to the border and are waiting for us to do the rest. It would open up the north-west and Donegal, and I could not argue with that. I would love to see it done.

I am slightly intrigued by the reference in the motion to the reopening of the Antrim-Portadown line. As a native, I was not aware that there was an Antrim-Portadown line, so I presume that you must be talking about what I would call the Knockmore link, which is the line from Antrim that goes through Lisburn and into Belfast. If there is a proposal to change that route to make it easier for people coming from the north-west by train to link up to the Enterprise, I query whether it is worth the cost.

At the moment, they have to get to Belfast and then get on the Enterprise.

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

**Mr Lunn:** Sure.

**Mr Clarke:** Is the Member saying that he would deny people in a constituency bordering his, such as those who

live in Stoneyford, a good rail link? Would he also deny Belfast International Airport the opportunity to expand?

**Mr Lunn:** I was coming to the Belfast International Airport, but thanks for the extra minute. I favour the reopening of the Knockmore link. Anybody who lives in Lisburn would say that that is a good idea because it was a good commuter line and could become busier than it was. I also favour a link to Aldergrove airport, which could be done quite easily. It would also be quite easy to provide a spur to the Maze, if anything is ever done at the Maze, of course. In the overall scheme of things, I fancy that that is probably bottom of the list.

There is nothing here to oppose. The new Minister hardly has her feet under the table, but I am sure that she has plenty of ideas. I would be interested to hear where her priority is. It is inconceivable that we will have the money in the next number of years to do all these projects, so is there any prioritisation in the scheme of things? If so, what is coming first and what is on the long finger?

Obviously, we will support the motion.

**Mr G Robinson:** I welcome the Minister to the debate. I speak for the motion, but I do so with the warning that the projects identified are subject to the necessary funding being made available. I stress just how difficult a task the Minister and her officials have due to the financial implications that she has to grapple with. The welfare reform situation certainly has not helped the Minister's financial situation.

The projects in the motion are but a few of the infrastructure projects needed in the north-west. I add to the list the need for a dual carriageway from Coleraine to the Drones Road junction outside Ballymoney and from Coleraine to Londonderry, with an emphasis on the Gortcorbies climbing lane between Limavady and Coleraine. Those are also essential targets to aim for, but the finances have to be made available.

I certainly agree that the development of good transport infrastructure will be of immense benefit to the north-west in attracting inward investment. However, the reality is that this, too, is dependent on finances. I live in the real world and have to accept the limitations that come with being a realist. I am on record as saying in the House that I fully understand the need for the Dungiven bypass, for health reasons and to ease traffic congestion, even as a stand-alone scheme. My support for that has not changed. However, a climbing lane at Gortcorbies on the A37 would reduce travel times and accidents on the road between Limavady and Coleraine.

When it comes to the rail infrastructure in the north-west, I congratulate Translink on the work that it did recently and is still doing. It is easy to criticise, but a word of congratulation on concluding major capital projects is well deserved. There have been problems with the signalling on the Coleraine to Londonderry line. Commuters acknowledge that, but we should all concentrate on bringing the signal upgrade to a successful conclusion. The hourly service proposed by Translink will be welcomed by commuters. The Minister will not be surprised to learn that I still support the establishment of a rail halt adjacent to Shackleton barracks to aid commuters to the new DARD headquarters at Ballykelly. However, I am aware that there would be a substantial and unwelcome budget implication

for the Department. Ideally, that project should be shared by other Departments, such as DARD.

I note the reference in the motion to the Antrim to Portadown railway line. Of course, if that line were reopened, I would urge the establishment of a halt adjacent to Belfast International Airport, depending on funding being made available or in a joint venture with the international airport. It is a question of finance being made available. What impact would that have on the existing Dublin services, especially considering the rebranding of the Enterprise rail service that is occurring?

I support the motion.

**Mr McAleer:** Go raibh maith agat, a Cheann Comhairle. First, I take the opportunity to commend the proposers of the motion and welcome the Minister to the House. I wish her well in her position.

At the outset, I express strong support for the motion, which proposes a focus on the north-west and the addressing of the infrastructure deficit that exists. Many projects have been referenced during the debate, but you will not be surprised that one of the key ones that many of my colleagues in west Tyrone and I are interested in is the development of the A5 dual carriageway. We have been engaging widely throughout the business community and civic society. It is an essential lifeline to the north-west. Indeed, the economic projections that were arrived at during the planning of the road indicate that it could generate as much as £1 billion for the economy. That includes hundreds of jobs but, most importantly, lives would be saved.

Following recent comments from the Taoiseach, Enda Kenny, we need to see the commitment to funding for the A5 from the Irish Government, which was pledged in the Stormont House Agreement last Christmas, honoured. At that stage, they pledged £50 million. I note that comments were made yesterday by the Taoiseach that they will continue to honour that commitment. It is important that those commitments are kept in full. At this point, I also call on the Regional Development Minister to take a look at the A5 and move on towards issuing the draft orders, which would move the project on to the next stage.

As I said, throughout the course of the project we have engaged extensively with civic society, the chambers of commerce and businesspeople in Derry, Omagh, Strabane and through the whole of the north-west. They see the A5 as being the most important project for the development of the north-west. They have cited many examples of prospective inward investors who are unwilling to invest in the north-west because of the very poor infrastructure that we have there.

**Mr Ó hOisín:** I thank the Member for giving way. Does he agree that the inclusion of some of the infrastructure projects in the north-west would be helped by their inclusion on the core network?

**Mr McAleer:** Yes, it is good that you mentioned that. A few weeks ago, we visited the Derry port, where we met the chief executive, Brian McGrath. We went along with the Regional Development Committee. That is certainly one of the issues that he raised. As the most peripheral port of the EU, it is not on the core network — nor indeed is the A5 or the A6. I was intrigued by how strategic the Derry port is. It is a gateway to Canada and North America. It

handles £1 billion of trade every year, which is absolutely phenomenal, and it imports hundreds of thousands of tons of oil, coal and gas. In fact, there is a 10-acre coal yard on the site. It is also the key port of entry for plywood from China. The port in Derry is used to distribute all around Ireland and Britain. The chief executive made the point that the development of the A5 and the A6 is absolutely critical for the development of Derry port and the onward distribution of those supplies.

In the wider European context, Trevor Lunn and John Dallat made reference to the fact that we are miles behind many other EU countries. As we are, rightfully, debating this motion today, the implementation of the first phase of the core network within TEN-T is already taking place. That is coming out of a huge £200 billion budget for the 2014-2020 period. The objective is to have an integrated transport system across the EU to enable the seamless movement of people, services and goods. They want to have the core network established by 2030 and the comprehensive network established by 2050, with the objective of full coverage of the EU. Frustratingly, Derry city is not considered as a core node, and the routes leading to it are not considered part of the core network, so they are excluded from that £200 billion pot. That is very frustrating. DRD has told us that it has lobbied the European Commission intensively for that, but it is precluded, even though it is sitting at the junction of two EU member states and is the most peripheral area of the EU. We feel that it would be a major game changer if Derry city was considered as a core node. It would open the way for funding for the A5 and A6, and indeed the port, as part of the core network.

We have already seen that infrastructure is clearly linked to economic development. You would also expect that it is linked to deprivation.

#### 6.15 pm

In the last year, I co-hosted a seminar with Trutz Haase, who was at the Committee as well. He worked for NISRA and is a very experienced and respected economic consultant. He produced deprivation measures for the island of Ireland based on the 2011 census and demonstrated clearly that where the motorway, the M1, was built in the North, there was a better spread of wealth along that corridor. He linked it clearly to the fact that the M1 was there. He has clearly linked deprivation with infrastructure.

Fifty years ago, a decision was made here to close the railway lines in counties Tyrone and Fermanagh; a crime against the people that left them very isolated. At that time, people hoped that they would see infrastructural development and that the M1 would hopefully reach that way, but that was not the case. We have it in our hands now to try to redress that historical infrastructural imbalance in the west and north-west.

**Mr Middleton:** I, too, welcome the Minister to her new role and wish her well. Of course, I thank her for taking time out recently to visit Foyle and meet constituents.

As a Londonderry man, I am all too aware of the transport infrastructure issues that we face, along with the thousands of others who use it daily. Whether it be the logjam at Dungiven or the bottleneck at Moneynick, the journey for commuters between Londonderry and Belfast is less than efficient, no matter what mode of transport



you use. Of course, similar difficulties exist between Londonderry, Strabane, Omagh and Enniskillen.

We need to refocus our efforts on the importance of transport connectivity in Northern Ireland, particularly between the key cities. The delivery of the proposed road schemes will significantly enhance connectivity and shorten the duration of travel; it can therefore be shown to have clear economic worth. In particular, they address bottlenecks on those key strategic routes. In order to ensure that all areas of Northern Ireland contribute to and benefit from increased prosperity, it is essential that we invest in the wider regional transport network to enhance rural and urban connectivity. Of course, there are many benefits from that: the fact that the local economy will be improved by bringing workers and jobs together; improved access to markets and onward connectivity; and, of course, more reliable journey times as well.

In the Committee for Enterprise, Trade and Investment's report 'Opportunity for Excellence', Manufacturing NI recently highlighted:

*"a lack of integration between available space for businesses to locate and the transportation infrastructure."*

It commented that one manufacturer planned to double its space but was unwilling to locate to the north-west where space was available. That was clearly down to the poor road infrastructure. Of course, we know that it was not the only business in that position.

In relation to public transport and the rail service between Belfast and Londonderry, it is important to stress the role that it has to play in the economy and community in Northern Ireland. With a strong tourism offering in the north-west and two university campuses, public transport must be strengthened. Alongside this, I have highlighted on many occasions the case for the refurbishment of the old Waterside railway station.

With all that in mind, as was already touched on by a colleague, we must be mindful of the current situation that we find ourselves in, both financially and politically. The amount of money that has been wasted by the failure of the parties opposite to implement welfare reform was highlighted. It is mentioned in the motion that we want to see it as a priority or even made a special case. Many people will want to see other projects made special cases. Just this morning, I, along with colleagues, met the Rural Community Network about other challenges that face the north-west — broadband provision, connectivity and access to services as well. Of course, that is not to take away from the motion, as I am supportive of the schemes outlined in it. In particular, I would like to see progress on the A6 and the completion of the rail-line upgrade. I believe that, where appropriate, the schemes should be split into sections and carried out as and when money becomes available, whether it be secured through Westminster, Europe or indeed the Irish Government.

There is no doubt that we need to see further investment in the transport infrastructure. I know that the Minister will do all she can to progress those schemes as soon as possible.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. I wish the Minister well in her new role and look forward to working with her in the Committee. She has been well introduced to

the A5 and the A6, and I will mention the A4 extension to Enniskillen and beyond, just to put it on her radar.

As I was going home, I was listening to the programme that my colleague mentioned, 'Inside Business'; it was all about infrastructure. One statistic that stuck out for me was that the South of Ireland and Scotland have three times more road carriageway per head than we have here. Obviously, there are reasons for that, and there are legacy issues. Mr Dallat talked about travelling throughout the South of Ireland. I live fairly close to the border, and I know that we lag behind, particularly in the north-west and west of the Bann.

Gordon Best, from the Quarry Products Association, told the Committee that the A5 was a priority and said that it was dangerous. I do not travel on it very often, but we were going to a DRD meeting a number of weeks ago at night when it was wet and it was dangerous. I know that I am not used to it, but the next day we had our meeting at the port and, as my other colleague said, we spoke to the CEO, who gave us a presentation. I was surprised when he said that £1 billion in imports and exports came in and out of Derry. The two key routes for distribution are the A5 and the A6. Those two routes, which are not up to standard, have costs and act as a barrier to economic growth. There is increased congestion, longer travel times and higher costs. I experienced that on the way back to Fermanagh from Derry that day along the A5. I saw all the heavy goods vehicles coming back and forward from the port, particularly the Quinn Group lorries, of which there are 150 or 160. The lorries were being held up by long queues behind farming vehicles, and the time that it was taking them was too long. I spoke to drivers who said that they would rather go to Belfast twice in the same day than go to Derry once.

It is widely recognised that major benefits accrue to the economy through investment in infrastructure. Investment in the north-west and, indeed, west of the Bann is about balanced regional development. To be competitive in regional locations, business must have access to good infrastructure. I will not keep the House any longer tonight: I support the motion.

**Ms Hanna:** The motion is, in some ways, complementary to the motion that we discussed earlier this afternoon and seeks to expand on the same issues. It is clear from both debates that increased and improved transport infrastructure would go a lot of the way towards alleviating some of the imbalances for those outside Belfast who have to deal with it on a daily basis. It is easy for us to get up and ask for funding for this, that and the other project, and I know that the budget is not in place to dole out money for everything, but these are not new requests. With respect, the welfare reform issue has been a problem for the last year but, particularly with regard to the Derry road, these are proposals that have been on the table for 50 years, and we did not necessarily have welfare reform as the block —

**Mr Clarke:** I thank the Member for giving way. You still wasted £214 million.

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

**Ms Hanna:** I would like to take that as a commitment: it sounds like a deal on welfare reform is coming. It is above my pay grade, but, if you are saying that, once welfare reform is resolved, we will have money for this project, I will happily take that as a win.

It is clear that, if we do not invest in this infrastructure, we will be back to these issues in years to come. A balanced investment programme will mean that prosperity can, possibly, be spread out across Northern Ireland. Possibly, the foreign direct investment ship has sailed a little bit; we are probably quite late to that. I know that there was some discussion earlier, but attracting it has been a big part of the Executive's economic strategy. We will not be able to expand that if we do not address these issues. I am not seeking to undersell my city — it is an advantage that I represent the centre of the universe — but we have to realise that the devolution of corporation tax will only take us so far and that, if we do not join up the other dots and learn the other lessons from the Republic of investing in education and infrastructure as well, it will not make much of a difference.

A couple of Members have mentioned infrastructure down South. I am from Galway originally, and we moved to Belfast when I was a child. I am up and down multiple times a year, and, every time I am in Galway, I see the differences in the fortunes of my two home cities and how that region keeps getting economic and investment wins that we just do not get. Members who have taken that road from Dublin will pass Athenry, and anybody who is a follower of Irish rugby will know about Athenry and its low-lying fields. Athenry is about to be on the end of €850 million of investment from Apple. It is clear to see that it is not very near Dublin geographically, but it has got that because it is accessible from anywhere else on the island. We do not get wins like that and will not get wins like that until we start to invest in the infrastructure. Even if Belfast were getting that number of quality jobs, we could not expect people from Fermanagh, Tyrone and Derry to compete on a level playing field for those jobs and be able to raise their families and stay with their families at home until we invest.

**Mr Byrne:** I thank the Member for giving way. Will the Member accept that we are talking about the north-west of Ireland, which is Donegal, Derry and Tyrone, and that, given that the two Governments made this a priority in the St Andrews Agreement, the time has come for real delivery? We want to see evidence that this will happen to make sure that there is the economic development necessary in the north-west of the island, as, indeed, it will be complemented by the A6 going forward.

**Ms Hanna:** I thank the Member for his intervention, and I agree entirely.

The Irish Government have indicated that they are putting the funding back on the table for the A5 in particular. That clearly shows that the ball is back in the Northern Ireland Executive's court to make that project happen. Equally important is the A6. As I said, we have discussed that for 50 years, and we all know the original plan of proper linkages from Belfast to Derry. As I understand it, this project has gone through all its statutory processes. A contractor is in place, and the only thing that is missing is money. Particularly for people in the north-west, it must rank as one of the major failures in devolution that, 15 years into the Assembly and the Ministry having been passed around various parties, that project has not advanced any.

There have been some positive announcements on railways, which is in part due to the lobbying of my colleague from East Derry. I am glad that that is back on

track, although I believe that a cyclist recently beat the train from Belfast to Derry in an experiment where he decided to see whether he could do that. I do not think that that speaks very well about the quality of the railway. I understand that the Executive have committed £44 million per annum, but, in a 20-year plan, that will equate to £880 million of expenditure for rail, of which £620 million is required for maintenance. That would leave very little investment for trains.

I will wrap up by echoing the words of my colleagues. We have had a lot of good words, particularly about the A5 and A6, but it really is time for meaningful capital investment that will attract and facilitate the sort of 21st-century jobs that we need all across the region and not just in Belfast.

**Mr Lyons:** I also take the opportunity to welcome the Minister to her new post, and I wish her well in it. I note with interest the motion before the House this evening, and I certainly cannot blame the Members for wanting to table the motion and say, "Here are the issues that we have in our constituency, and here is the infrastructure that we want to see to get them sorted". It is, of course, the season where children are beginning to write their letter to Santa, and that is possibly what we have here in front of us. It is a wish list, if you like, for the SDLP. I do not know whether the SDLP has been good or bad this year. Something has already been said on welfare reform, and perhaps the party leader will comment on that further; of course, I could not possibly comment. By my calculations, we have at least £1 billion of spending in the motion.

As I say, I cannot blame the Members for bringing that forward. Those are good projects that we want to see completed.

### 6.30 pm

From my perspective, we in East Antrim have been very fortunate during this mandate because we have had the construction of two long-awaited roads, the A8; and the A2. On Friday morning, I spoke to business leaders in Larne who said that it has been and will be of benefit to them. So, I certainly believe that it is good and right that we improve the road transport infrastructure throughout Northern Ireland. For those of you who want to try them out, please do so. I extend an invitation for you to visit Carrickfergus and Larne. You can get from Sandyknowes roundabout to Larne in 16 or 17 minutes, so why not take up that opportunity and see the road that we have? Perhaps you can visit the Gobbins or some of the other wonderful attractions on the way.

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

**Mr Lyons:** I am more than happy to give way to Mr Dallat.

**Mr Dallat:** I know that the Member is new to the Assembly, so I need to put on record that we did, in fact, go and see that wonderful new motorway, which cost, I think, £140 million for 14.5 miles. I did not see a lot of traffic on it, but I did admire the bypass round six houses. I said to myself, "My God, if the people of Dungiven see this, they will go bananas". *[Laughter.]*

**Mr Lyons:** Of course, the bypass also goes round Ballynure, which I am sure the Member took note of. Traffic is flowing well on that road, and we are very pleased to have it. We are pleased to have the A2 to Carrickfergus as well. I am making the point that, yes, it is good for

business and the economy. Of course we want to see the easy movement of goods and people. We want to have accessible services as well. We get jobs from construction. Good infrastructure is obviously a key component for businesses involved in FDI. It improves competitiveness and connectivity and helps with regeneration, economic productivity and all those other things. So, it is a very worthy desire to want to see more and better infrastructure in our country, and I am very supportive of that.

Issues about funding have obviously been raised already in the debate. The issue of welfare reform was raised, including the possible consequences that that may have on our overall Budget. I want to place it on the record that I very much believe that infrastructure is good for Northern Ireland and the economy. I do not think that many Members in here will disagree with that. I note the absence this evening of the Member for North Down Mr Agnew of the Green Party. Of course, at the last election, his manifesto stated that there would be a moratorium on all new road-building projects. I think that that is the wrong route to go down. If we want to build our economy and create more jobs, we need to have the necessary infrastructure in place. A lot of decisions will obviously be taken in the next mandate on those issues, and some projects may be prioritised over others. We have had good investment over the mandate, and I hope that that continues.

I have just one word of warning for Members in the House: this is not a silver bullet; it is not some perfect solution to all the problems. If we build the A6, it will not mean that the north-west becomes a great economic powerhouse overnight. Yes, it will help and, yes, it is important that we have that infrastructure, but let us be realistic at the same time.

**Mr Speaker:** It is my pleasure to welcome the Minister to the podium to respond to the debate.

**Miss M McIlveen (The Minister for Regional Development):** Thank you, Mr Speaker. I thank the Members who tabled the motion and welcome this opportunity to speak on an issue of such importance.

As a member of the Executive, my job is to support and drive economic recovery across all parts of Northern Ireland. The motion rightly highlights the importance of transport infrastructure in that recovery. It is obvious from comments expressed this evening that all of us in the House recognise the need to invest in our economic infrastructure if we are to realise our shared ambition to transform our economy and society.

As was highlighted during the previous debate, our transport infrastructure needs to be fit for purpose to ensure that people, particularly in more remote areas west of the Bann, are in reach of available jobs and that the correct economic infrastructure is in place to enable the conditions through which economic growth can take place.

It is all too easy to take for granted the connections and opportunities that modern transport infrastructure provides not just in Northern Ireland but in an increasingly connected global community. It is those very connections that determine our economic potential. They connect our manufacturers and businesses to global markets, allow us to attract the talent and investment we need to transform our economy and provide access to employment, education and, indeed, the social opportunities our people and communities need to benefit from growth and realise their potential. That is why laying the foundations for a

modern, efficient transport infrastructure in all parts of Northern Ireland will be my priority as Minister.

Investment in our transport infrastructure is a significant, long-term commitment and is one that lays the foundations for our future economic well-being. Investment decisions cannot be driven solely by a focus on the present and must enjoy wider Executive support if they are to survive beyond a single mandate. As the Chair of the Committee and Mr Ó hOisín have stated, there is also a need to provide greater certainty on our long-term funding priorities to the industry to provide it with the clarity it needs to plan, invest and build the skills required to deliver those schemes. There is a clear and immediate economic benefit here for our businesses, and we should not ignore that.

When considering our priorities for investment, we must take account of the realities and constraints that we face today. Equally, however, we must look forward. We must anticipate and plan for the needs of our people and our economy not just today but in 10, 20, 30 years' time. In that context, the desirability of the schemes highlighted in the motion are not in question. We can be united on that. The challenge is one of affordability and prioritisation.

I will work hard to make the case for the Executive investing in a modern, efficient transport infrastructure across all parts of Northern Ireland, and I welcome support from across the House in making that case.

We all recognise the need to invest in the transport infrastructure in the north-west. However, these decisions cannot be taken in isolation; they must be part of a wider regional strategy.

**Mr Byrne:** I thank the Minister for giving way. When we talk about priorities, will she accept that, given the importance that the two Governments put on the A5 western transport corridor at St Andrews, and given that the Irish Government have put €50 million on account for two years, that is, 2014-15 and 2015-16, evidence now has to be demonstrated by the Executive that there will be forward movement to make sure that the rest of the money can be triggered so that the programme can proceed as envisaged?

**Miss M McIlveen:** I thank the Member for his intervention, and I will return to the issue around the A5.

If we focus solely on schemes or deal with the north-west in isolation, no matter how well intentioned that is, we run the very real risk of diminishing the impact of the investment we are likely to get. So, we cannot ignore the real needs for significant investment in our transport infrastructure elsewhere in Northern Ireland.

All successful regions have vibrant connected cities at their core. It is for that reason that the Programme for Government, the Executive's economic strategy and the regional development strategy all highlight the need to strengthen Londonderry as a principal city and driver for the north-west and Belfast as the regional economic driver.

Members have correctly identified the importance of key projects such as the A5 and A6 in unlocking the economic potential of Londonderry and, indeed, the wider north-west region. I visited those schemes recently, and I am satisfied that they are regionally significant schemes with all the associated benefits. However, in recognising the benefits of such schemes, I am acutely aware of the concerns of local landowners particularly affected by the A5 scheme. I am aware that there are significant misgivings because

of how they have been treated to date. I plan to engage with some of the agents representing those landowners to address the concerns of those affected. Unfortunately, I cannot undo what was done before my time in office, but I can give an assurance that I will listen to concerns going forward during my tenure.

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

**Miss M McIlveen:** I have quite a bit to say, so, if you do not mind.

On the A6 corridor, two major projects are being developed: the Londonderry to Dungiven scheme and the Randalstown to Castledawson scheme.

A contract for Randalstown to Castledawson was awarded in May this year, and work is progressing on the first phase to develop the scheme to a shovel-ready position, which will allow construction to start at short notice when funding becomes available. The Londonderry to Dungiven scheme is also well advanced, and the draft vesting order was published in three parts to increase flexibility with construction and to allow options such as the building of the Dungiven bypass ahead of the remainder of the scheme. Equally, the delivery of the York Street interchange, the Belfast transport hub and, indeed, rapid transit have an essential role to play in Northern Ireland's economic future. In their absence, we run a very real risk of constraining our capacity for growth not just in Belfast but right across Northern Ireland. My challenge as Minister is to find an appropriate balance within the available funding envelope.

The need for investment, of course, is not and should not be limited to Belfast or Londonderry. As I stated, investment must be part of a wider and balanced regional strategy if our rural areas and major towns throughout Northern Ireland are to benefit from growth and attract business attention and investment. This year, £67 million has been allocated to develop and construct strategic road schemes. Most of that will be spent on the construction of the A31 Magherafelt bypass and the A26 Frosses Road dualling. In addition, that funding has also allowed my Department to complete the £130 million investment in the A8 Belfast to Larne dualling scheme and the £50 million A2 Shore Road dualling scheme at Jordanstown, and to develop a range of projects including new bypass proposals for Ballynahinch and Enniskillen. The Enniskillen bypass will build on the £146 million upgrade of the A4 Dungannon to Ballygawley road. It is those more modest schemes that collectively provide the connections and local conditions that create attractive environments for people to live and work in. Alongside investment in public transport, they provide the links between our towns and rural areas, which are essential to building sustainable rural economies and communities. There is also the danger that we can lose sight of the importance of what might appear to be localised investment in the likes of crossings and footpaths. Those may not appear to have regional benefit, but they can make a huge difference to a local community, including its ability to access services and wider opportunities. We need, therefore, to continue to make adequate provision for those schemes.

I also welcome the opportunity today to set out my commitment to further investment in the rail network, including in the north-west. As was highlighted, significant progress has been made in recent years in upgrading the

track between Belfast and Londonderry. I recently visited Bellarena to see for myself the progress that has been made on the current phase 2 Coleraine to Londonderry project, which, at a cost of nearly £46 million, will overhaul the antiquated signalling system and create a new passing loop by the end of next year. I agree with Mr Dallat that that is an exciting development. Alongside the development of a new rail station in Londonderry, there is an opportunity to continue the growth in passenger numbers and services that we have seen in recent years. More recently, our investment in the Londonderry line sends a strong signal to businesses and overseas investors of the Executive's strong commitment to the north-west. That capital investment will provide the infrastructure required to make an hourly service from Londonderry to Belfast possible. However, I need to emphasise that the actual delivery of the additional rail services involved would create a significant extra annual financial pressure on Translink. It is not apparent at this stage where that investment will come from.

The motion calls for the reopening of the Antrim to Portadown line to provide a direct rail link to Dublin and, indeed, to Belfast International Airport at Aldergrove. To answer Mr Lunn's question: the reopening of the line would require an investment of at least £50 million, and it is unlikely that the demand would exist to justify prioritising that level of funding in the immediate future. The number of passengers using Belfast International Airport is projected to reach 10 million per annum by 2030, and, at that stage, it may be possible to make an economic case for reopening the line.

I firmly believe that we must have an ambitious programme of investment to build a modern, efficient transport infrastructure right across Northern Ireland, including in the north-west. However, it must be balanced. It cannot be to the benefit of one area and to the detriment of another. We also need to be realistic: while we can lay the foundations of that network today, it will require long-term investment stretching across a number of Budget periods. It is simply not affordable otherwise. The capital investment required to deliver the projects identified in this motion alone is greater than my Department's entire capital budget for the current Programme for Government mandate. It is for that reason, as I highlighted, that we need a collective agreement across the Executive on the prioritisation of investment in key transport infrastructure. The restructuring of Departments provides the opportunity to better coordinate our efforts and align key strategies. It is critical that we seize that opportunity.

#### 6.45 pm

Investment in transport will not, on its own, deliver growth or well-being. It must be aligned with efforts to enhance our skills base to attract businesses, tackle deprivation and build communities in urban and rural environments that are attractive places to live and work in order to ensure that they can compete for investment in a global economy.

No single Department can create the conditions for growth and prosperity. We need coordinated action from all sectors across the Executive and the wider public sector, including local government. I share the view of others in the House that the reform of local government and the community planning process provide us with a unique opportunity.



I am committed to improving the road and rail transport infrastructure in the north-west. I am committed to taking that forward as part of a balanced, regional strategy to deliver a modern, efficient transport infrastructure that unlocks the economic potential of all parts of Northern Ireland and enhances well-being and access to opportunities for all our communities.

I am pleased to note the supportive comments of the Members who spoke, and I look forward to support from across the House as I make the case for greater investment in our entire transport infrastructure. Members mentioned the opportunities presented by Europe. My Department has a strong track record in that area, securing almost £18 million towards transport projects in Londonderry alone. In addition, my Department has secured the inclusion of €20 million towards a new multimodal transport hub in the north-west.

I welcome the support of the House as I look to build on this success and seek to lay the foundations for a modern, efficient transport infrastructure across all parts of Northern Ireland.

**Mr Durkan:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for that, welcome her here and reiterate my commitment to working with her in the Assembly and Executive.

The Minister comes fresh to the debate, but, for many of us, debating the infrastructural deficit in the north-west will seem quite like the film 'Groundhog Day'. It also gets me thinking of another film. Just a few weeks ago, we marked 'Back to the Future' day. In the film, Marty McFly travelled 30 years into the future to 21 October 2015. Before setting off on that remarkable journey, Doc — Dr Emmett Brown, to give him his full title — exclaimed the immortal line:

*"Roads? Where we're going, we don't need roads."*

For some time now, I have been saying that Derry is the future, but it is clear that successive Ministers for Regional Development have thought that Derry is the future and does not "need roads".

I turn to the contributions to today's debate. John Dallat, who has long been a champion of infrastructure projects, particularly the A5, the Belfast to Derry train, the A6, and, of course, the Magilligan to Greencastle ferry, referred to recommendations a few years back by DRD officials to close the Derry to Belfast rail line. Had it not been not for the passion and vision of people like John Dallat and the lobby group Into the West, which is from our city, Mr Speaker, the service would not have been saved, there would have been no subsequent investment in it, and there would certainly not have been the benefit that we all now see as a result.

John Dallat spoke about the Dungiven bypass, which I am familiar with.

There are awful problems there with congestion and pollution. That bypass is long overdue. However, when it comes to Dungiven, it is fair to say that it has been bypassed for 50 years. John also looked enviously at road development and infrastructure advances that have been made in the South.

Trevor Clarke, the Committee Chair, spoke of the A6. I actually met him in Derry one morning. He had travelled up the night before and seemed a wee bit bedraggled. I

will put it down to the journey. He touched on the wider economic benefits of investing in infrastructure. He referred to the QPA and the fact that so many jobs can be created in the construction industry through ambitious road building programmes. He referred to welfare reform and the £214 million that has not been handed back. I do not know. Would all of that have been given to Danny Kennedy to build new roads and improve rail infrastructure? I find it difficult to believe that it would, given that, when there was a proposal to ring-fence the underspend or the money that could not be spent on the A5 and retain it within DRD for spend on this type of project, the Member's party and Sinn Féin voted it down.

We then had a contribution from Cathal Ó hOisín and an intervention from Mr McCartney looking at alternative sources of funding. It is vital that we are open to doing that. However, it is also unacceptable that a key pillar of the north-west's economic regeneration — indeed, economic survival — should or could be caught up in wider policy debates. Mr Ó hOisín said that the north-west must be prioritised in the Programme for Government. I can assure the House that my party will be seeking to prioritise it there as well.

Mr Cochrane-Watson welcomed the work that has been done on the railway. He said that, around 50 years ago, the Government here announced their intention to build a motorway between Belfast and Derry. The fact that that has not been done to date is shameful. I am not going to try to apportion blame anywhere — we all get a fair share of the blame from our constituents — but it really is shameful. I certainly welcome his reiteration that the UUP will support the vital A5 project, which will benefit not just the west of the North but also our friends in the north-west of the South. Donegal has suffered equally due to its peripherality.

Trevor Lunn spoke about the daily bottleneck at Moneynick. He referred to particular stretches of the A5. That got me thinking about road safety, more with my departmental hat on. The A5 has a particularly horrendous record of collisions, casualties and fatalities. Improving infrastructure does not just save journey time; it saves lives.

**Mr Byrne:** I thank the Minister for giving way. Will the Minister accept that saving lives is equally, and maybe even more, important than the environmental issues that pertained to the proposals for the A5?

**Mr Durkan:** Saving lives should be paramount in everything that we do, so, still with my Environment hat on, I agree with the Member on that.

I thank George Robinson for his support for the motion and the virtual tour of his constituency. Declan McAleer urged the Minister to speed up progress on the A5. He spoke of Derry port and the success that the team at the port have had in comparatively unfavourable conditions. I pay tribute to the team there. We can all work to expand on their success. He pointed out, quite rightly, the links between underdevelopment and unemployment and economic inactivity. Gary Middleton cited the recent Manufacturing NI report, which is an extremely interesting document that I recommend to Members. We are glad of his support, as well, for proposals around the Waterside train station.

I have to move to dispel the theory promulgated by all the unionist Members who spoke that if we, on this side of the House, had rolled over to Tory welfare reform, all these

roads would not only have been built but probably paved with gold. The SDLP tabled workable, realistic, affordable amendments to the Welfare Reform Bill, and parties here voted them down. We have no problem with welfare reform, but we will not accept unfair reform.

Claire Hanna referred to the, by now, infamous great bike and train race that demonstrated clearly that, despite the expenditure, the undeniable improvements in infrastructure, and the increase in passenger numbers on the Derry/Belfast train line, there is still much to do. Danny Kennedy, though, was probably secretly happy that the cyclist won.

In her own contribution, I am glad to say that the Minister clearly recognised that investment in transport infrastructure lays the foundation for our future economic development. She spoke of her priorities and the need to plan for the needs of our economy and, most important, the needs of our people. I am certainly happy to take the Minister's word that she will work hard to progress those issues, and I assure her of my support in the Executive, and that of my party in the Assembly, as she does so.

In conclusion, I hark back to the debate this afternoon on regional economic imbalance. Transport infrastructure has a clear role to play in addressing that undeniable imbalance. During that debate, I raised again the prospect and potential of a city deal to regenerate the north-west's economy. That mechanism can, could, and, I believe, would enable projects such as those discussed today to progress. It is my understanding that the Chancellor's door is open to a bid from the Executive for such a deal. After all, the door of Number 10 was open to OFMDFM last week. All the Executive need do is ask for it, and I am hopeful of the Minister's support for that as a means of helping her to deliver these long, long overdue improvements.

*Question put and agreed to.*

*Resolved:*

*That this Assembly, mindful of the transport infrastructure in the north-west and conscious of the influence good transport infrastructure has in attracting new inward investment, asks that a special case be made to source the capital investment needed to complete the A5 cross-border project, the A6 dual carriageway, including the bypass for Dungiven, the final upgrade of the Belfast to Derry rail line that will ensure an hourly service, and the reopening of the Antrim to Portadown line to allow a direct service to Dublin.*

## Question for Urgent Oral Answer

### Health, Social Services and Public Safety

#### Donaldson Report

**Mr Speaker:** Mr Jim Allister has given notice of an urgent oral question to the Minister of Health, Social Services and Public Safety. I remind Members that if they wish to ask a supplementary question they should rise continually in their places. The Member who tabled the question will be called automatically to ask a supplementary.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety why he chose to outline his policies on an issue as important as the outcome of the Donaldson report at a conference in Ballymena rather than making an oral statement in the House.

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** Let me begin by thanking you, Mr Speaker, for accommodating the question at this time. My speech to an audience of front-line health and care leaders on Wednesday 4 November was a follow-up to the speech that I made at the cancer centre in May, where I addressed a group of care professionals in order to set out my vision for health and social care.

Wednesday's speech provided some detail on how I expect to deliver that vision. I wrote to the Chair of the Health, Social Services and Public Safety Committee last Wednesday to set out the content of my speech, and I will appear before the Committee this Wednesday to answer questions about the announcement. Oral Answers to Questions next week will provide a further opportunity for Members to quiz me on what I have said, as do written Assembly questions and correspondence.

**Mr Allister:** I acknowledge that the Minister is finally, though grudgingly, here tonight. Surely it is central to the credibility and authority of the House that Ministers make key policy announcements, when they can, to the House. By choosing deliberately not to do that, can I ask the Minister why he showed such contempt for the House and its processes, and how he thinks the general public can be expected to show respect if he demonstrates such obvious contempt? And, if I am permitted, can I ask him why, since he is sweeping away the Health and Social Care Board, he is not also dealing with the Public Health Agency? Why can its functions not be dealt with by the trusts and his Department?

**Mr Hamilton:** Mr Speaker, the Member is some fellow to be talking about treating the House with contempt. He has fallen foul of the Speaker's Chair, whether it was with you or previous Speakers, on more than one occasion.

I welcome the fact that, latterly, he asked a question about the substance of the speech instead of concentrating on a peripheral point about process. I am not surprised that Mr Allister would want to do that; that is his style.

**7.00 pm**

I also wonder why the Member seeks to pick out a particular Minister for criticism for not making an announcement in the House. You could draw up a long list of Ministers from probably every party who have made statements outside the House by way of press statements, radio or newspaper interviews or speeches at events — by whatever means. In fact, only today, the Agriculture Minister made a major announcement after a big consultation on the value of basic payment scheme entitlements and young farmers' top-up rates, something that I understand the industry has been waiting for an announcement on for the best part of a year. It is of considerable significance to that sector, as, I am sure, Mr Allister will appreciate, and I wonder whether a question for urgent oral answer has been tabled by him about why that was announced by press statement and not in an oral statement in the House.

**Mr Allister:** *[Interruption.]*

**Mr Speaker:** Order.

**Mr Hamilton:** I suspect that it was not.

Typically, Mr Allister, the big macho man who wants to be seen as the one who takes on Sinn Féin, is not taking on Sinn Féin on this issue but is instead singling out the DUP. That, of course, is Mr Allister's style. That is what he always wants to do. He does not really want to take on Sinn Féin; in fact, he wants to embrace them in government, in line with the latest policy position that he has adopted.

On the issue of the Public Health Agency, I think that public health is incredibly important —

**Mr Speaker:** I remind the Minister that the two-minute rule applies.

**Mr Hamilton:** OK. I am sorry that I cannot answer the Member on that.

**Ms Maeve McLaughlin:** If this is the right thing to do, I want to offer our support to the Minister. He has long heard from me and my colleagues that we have an overly bureaucratic and complex system, with ineffective and confusing decision-making. Therefore, if it is the right thing to do, whether the statement was made in the House or outside it, you will find an ally in us.

Having said that, I ask the Minister, because much has been said about the lack of political consensus, whether this is a genuine break with previous DUP Ministers of Health. Can he accept or will he agree with me, that there was political consensus on the delivery of health three-plus years ago, when we collectively signed up to Transforming Your Care? Where it failed was the Department and previous Ministers not putting the meat on the bones. Go raibh maith agat.

**Mr Hamilton:** I look forward to attending the Committee tomorrow. I was pleased to accept the invitation of the Chair to attend. I am happy to go into much more detail on the announcement that I made last week in questions from her and fellow Committee members tomorrow. I welcomed her comments last week, which were supportive of the announcement, and I welcome her comments here today. I accept that there has been on different occasions a consensus of sorts. I think that I said to the Chair when I appeared before the Committee in early July

that there has been in the past a degree of consensus on some health reforms, and I am sure that she appreciates that the reforms that I was outlining went significantly further than what has been said in the past, particularly on Transforming Your Care. *[Interruption.]* Sorry for that interruption.

**Ms Maeve McLaughlin:** I hope that that was not Jim Wells.

**Mr Hamilton:** It was Peter Robinson, actually. *[Laughter.]*

**Mr McCartney:** That's the last two Ministers phoning you.

**Mr Hamilton:** It was the First Minister.

The reforms that I announced yesterday were additional to Transforming Your Care. I am prepared to accept that some mistakes may have been made in implementation in the past, and we need to learn from those mistakes. It would be churlish to attack each other on the basis of those mistakes. We need to learn from them, because the challenge that is before us to get health and social care right now and to get it right for future generations is too big a prize for us to get petty about. We need to build the political consensus that I have spoken about; if we do not, we will have a health service and a social care system in Northern Ireland that will fail. That is the evidence that is coming forward, whether it is from the Donaldson report or from clinicians on the front line. That is why we need to do our level best to set aside the political differences that we have from time to time on some health issues and try to build a shared vision of a world-class health and social care system for Northern Ireland.

**Mr Speaker:** Before I call the next Member to speak, I will say that this is obviously a hugely significant and strategic discussion. I have half an hour, and I have an extensive list of people who wish to ask a question, so I have no flexibility to allow any further mini speeches. Members will get straight to the question; the Minister will answer it; and we will endeavour to give everyone on the list the opportunity to ask a question.

**Mr Easton:** What type of feedback has the Minister had on his announcement from the people who really matter?

**Mr Hamilton:** I thank the Member for his question. The feedback so far has been positive, and significant political communications have been made that have been quite supportive of it. I acknowledge the comments made by the Chair of the Committee today and last week, which I think are helpful and bode well for trying to build the political consensus that I spoke about last week and have spoken about in the past.

I might agree with the Chair, and we might be able to agree with others on the way forward, and that is important. I think that it is a critical factor in trying to reform our health and social care system. But we need to listen to what people on the front line are saying, and the feedback that has come from clinicians, many of whom have written to me or emailed me about the decisions or announcements that were made, has been exceptionally positive. They see the opportunities in de-layering the system and in getting rid of bureaucracy. They see the attempt to remove barriers to innovation as a vote of confidence in them, and that was what it is intended to be.

We have a fantastic health and social care system in Northern Ireland. Yes, there are challenges, and we

know that there needs to be change, but we have some incredibly talented and gifted people. When you go out on to the front line and speak to them, and they tell you to your face that they believe that the system of bureaucracy that we have, currently, is getting in the way of them doing things that they know that they can do and that will achieve better outcomes for people in Northern Ireland, you have to listen to them, and you have to take action, and that is what I am proposing to do. I am encouraged by the feedback coming from the front line; from clinicians, doctors, nurses and others. I think that we would all do well to listen to their response, to be encouraged and emboldened by that, and to try to move forward and make the reforms to our health and social care system that we all know that we need to make.

**Mr McKinney:** The Minister was clearly stung by criticism of his in-out approach. I think that he made that point at the outset of his speech, but he did not bring this to the House so soon after coming back. Given the importance of gaining consensus around changes in health, has he not done his project a great disservice and risked criticism that he is more interested in deflecting further criticism from his in-out approach and long-term DUP failures over health than in gaining important consensus if change is to be achieved?

**Mr Hamilton:** I made it clear that I wanted to be in office but, equally, I did not want to see people murdered on the streets of Northern Ireland. The Member and his party were offered the opportunity to do things in a much cleaner and clearer way through having an adjournment or supporting a suspension, but they did not take that. Action was required in those circumstances, and we took that action.

No one was as frustrated as I was, because I know the extent of the decisions that needed to be taken to reform our health and social care system. I wanted to take those decisions, and I am glad that I was able to outline my vision and announce those decisions around reforming our health and social care system, getting rid of a layer of bureaucracy, appointing a panel, and talking about how we can finance transformation moving forward. I am glad that I was able to make those decisions. I think that it ill behoves the Member to do what he is unfortunately prone to do and try to criticise. I think that he would do well to take a lead from the Chair of the Health Committee and the stance that she is taking.

The Member also seeks to criticise the state of the health service at this time. I appreciate, and no one knows better than me, the difficulties that the health service currently faces in Northern Ireland. However, given the fact that his party's stance in blocking progress on welfare reform is costing the whole Executive £9.5 million each and every month, which will mean £200 million to be lost by the end of this year — countless thousands of operations, assessments and treatments could have been carried out using that money — if there is anywhere that the finger of blame should be pointed for the difficulties that our health service is facing, it is at those who seek to squander that money at a time when it is needed at the front line in Health, in DRD and right across the board.

**Mrs Dobson:** Does the Minister agree that the figures clearly show that the board lost the run of itself in terms of administrative staffing, with a 40% increase in three years? Why was it allowed to become a bloated board?

Will the Minister accept that he and his predecessors have responsibility for pumping it up to 600 staff?

**Mr Hamilton:** I do not accept the criticism. What we need to be careful about — I sought to be careful about it last week, and I hope that the Member does not take the argument down that line, now or in the future — is that we focus on the staff within the system. In fact, as I said in response to Mr Easton, I think we are blessed and very fortunate to have some fantastic staff in our health and social care system.

**Mrs Dobson:** In administration.

**Mr Hamilton:** Even in administration, I am sure she will accept that there are some incredibly gifted and talented people who are working in the board and on other parts of administration within our health and social care system. It is not about them or their number; it is about developing as efficient a system as we can possibly have.

When I go out and speak to people on the front line, as I mentioned, they tell me that the layer of bureaucracy that was created in the last Assembly term got in the way of them being innovative and caused confusion. When you have senior consultants saying to you that they do not understand the system, how it works and how it benefits the people they are serving and the patients they are working to make better, you have to listen to that feedback and appreciate that there is a problem with bureaucracy. That is not about the numbers of people; it is about the system.

My objective is to dismantle and de-layer that system so that we can get the best out of the people in our health and social care system. There are some incredibly talented and gifted people. I want them to serve in a system that makes the most of their talents, not a system — which, unfortunately, is the one we have at the moment — that has got in the way of their talents and has not unlocked them in the way that we should all be seeking to achieve.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas agus cuirim fáilte roimh an ráiteas. I thank the Minister for the statement, and I welcome it. The statement refers to the principles that the health service should be free at the point of delivery and that there should be equal access for all, but, given the huge inequalities that exist within the system, how does he intend to address those inequalities with what he proposed in the statement?

**Mr Hamilton:** I thank the Member for welcoming the statement. I accept the point that she is making. One of the principal objectives of the reforms that I have outlined — which I hope the House will, in time, support the implementation of — is to get the most efficient use of the £4.7 billion that is currently spent on health and social care in Northern Ireland. One of the ways in which we can better tackle the health inequalities that she referred to is by the more efficient spend of that money that is going into the system.

Getting rid of a layer of bureaucracy will help, certainly, but that is not what will automatically come from that. I appreciate that, but it is about creating a system where that money — which is close to half of the complete Budget — comes out at the other end as better outcomes for people. That obviously includes tackling many of those health inequalities.



One of the other things that I announced last week — it did not get a terrible lot of attention — was my support for the creation of a transformation fund so that we can develop and fund some of the innovation that is out there, which sometimes gets funded through the system and sometimes does not. Much of that will tackle issues around health inequalities, as well as trying to get new, innovative, very creative ways of tackling many of the problems and challenges that we face, not just in our society but right across the world. Many aspects of it will have an impact on tackling the sort of issues that she mentioned, if not directly, at least by making a more efficient system, which will be better for everybody in Northern Ireland.

**Mr McGimpsey:** How many staff are currently employed within the board? Since it performs a vital function of commissioning services from the trust, how many staff will be required for the new structure, which, I understand, he calls a directorate within the Department, and how many staff, if any, will therefore become surplus?

**Mr Hamilton:** The current figures as of March this year show that the net average persons employed by the board were 584, of which 544 were permanently employed.

### 7.15 pm

We are undertaking a scoping exercise to look particularly at what the announced reforms that will close down the board will mean in actual actions that need to take place. As I said in my speech last week, there are clearly implications for the board and its staff. As the Member highlighted, some staff will move to the Department, some will move to the trusts, particularly those who are involved in planning for care, and some may move to the Public Health Agency, which I intend to align much more closely with the Department and focus more on early intervention and prevention and the good work that it can do on the public health agenda.

We are not definite on the numbers yet, and work will be undertaken to do that. Those people are doing useful tasks and jobs, particularly on planning for care and need. That will continue to be undertaken, but it will just be undertaken in a different place. We can sometimes get a little obsessed about where people work and the name of the entity they work for. I want to create a system-wide approach and get the best out of the system we have. Unfortunately, the reforms that were implemented in 2009, which the Member will be all too familiar with, have been tried and tested and have not worked. They have not made the best of the talent within the system. That is why I made the suggestions and proposals last week to take away that layer of bureaucracy that has blurred the lines of accountability and has got in the way of getting real innovation across our system. I hope that the Member recognises that and will support the reforms that I have proposed.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I welcome the announcement by the Minister. He is absolutely right: it has to benefit those on the front line. Indeed, I have received a number of complaints from nurses in Antrim Area Hospital about a situation in the emergency department there. I will discuss it with the Minister tomorrow at the Committee.

What contact has the Minister had with trade unions about his announcement and the implications for staff?

**Mr Hamilton:** I did not address that point in response to Mr McGimpsey's question. The announcement has been made and there will be discussions with the unions as we roll it out. They will be very much involved in the process. There will be a consultation on the proposals for the board and removing that layer of bureaucracy, and I expect them to participate fully in that.

As I said before — I tried to say it last week — this is not an exercise in trying to make savings by getting rid of the board. There may be some monetary savings, and what monetary savings there are will be redeployed back to the front line. That is a very important point; we are trying to get the most efficient system that we can possibly get.

I do not envisage the need for compulsory redundancies; that is not something that I think we will be looking at. Whilst some posts will be no longer required, as I tried to outline to Mr McGimpsey, a substantial number will be required because of the important work they do. At the minute, they are doing it in the board. They may be doing it in the Department, in the trusts or elsewhere in the future, but there will still be important work for those people to do. In some cases, they are doing a good job already, so that will need to be tapped into to ensure that it continues to be the case. They may be in a different place, but that is less important than removing the bureaucracy that I think the Member and I share concerns about, making sure that we get that efficient system, and getting the best from the talents of those who are operating within our health and social care system.

**Mr Swann:** The Health and Social Care Board was one of the key players and often one of the main stumbling blocks in the reformation of children's cardiac surgery in Northern Ireland. Where do the parents and users of that service look to when the Health and Social Care Board is no longer in place after the current review? What moneys will be available from the Minister's transformation fund for children's cardiac services in Northern Ireland? I declare an interest as my son had an operation three weeks ago.

**Mr Hamilton:** I appreciate the Member's particular interest in the issue. He has raised it with me in the past in the Chamber.

I welcome the fact that he recognises and characterises the board as a "stumbling block" — I think that he used that phrase. I do not want a system in which there are stumbling blocks. All too often, I have heard such a characterisation of our health and social care system: stumbling blocks, barriers, hurdles and entities get in the way and allow the buck to be passed while, ultimately, very little is done.

I think that the Member is jumping ahead a couple of stages on the transformation fund and the board itself. Obviously, this is my view and is what I want to do. I am glad to have received broad support about the board, but it is not a matter of my standing up in Ballymena, in the Chamber or wherever to announce this and its happening overnight. A process must be gone through. A legislative process will have to be undertaken before my proposed changes are fully implemented. We are talking about some time off in the near future for implementation. In the short term, the current arrangements remain in place.

I cannot say how much any project will get out of a transformation fund that has not yet been created. In my speech, I said that I want to create a transformation fund

to encourage and to finance those innovations that we all know that we need and that sometimes, within current budgets, trusts or others find difficult to fund because they are spending so much on keeping front-line services going. However, they know that these will be beneficial for cost savings and better outcomes for patients and people. That is what the funding is about. I cannot commit to any amount of funding because I do not know what any increase might be or whether I will get an increase at all in the health budget for the next Budget period. I am determined to parcel off a significant portion of that for a transformation fund so that the changes that we know we need can be made.

I remain committed to the all-Ireland congenital heart paediatric care network, and I want it to be developed as quickly as possible.

**Mr Speaker:** That concludes this item of business. Thank you, Minister and Members.

As I announced earlier, Mrs Overend is not in a position to move the Adjournment debate.

*Adjourned at 7.22 pm.*

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# Northern Ireland Assembly

Monday 16 November 2015

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

*Members observed two minutes' silence.*

## Matter of the Day

### Paris Attacks

**Mr Speaker:** Mr Mike Nesbitt has given notice and been given leave to make a statement on the attacks in Paris, which fulfils the criteria set out in Standing Order 24. If other Members wish to be called, they should indicate by rising in their place and continuing to do so. All Members who are called will have up to three minutes to speak on the subject. I remind Members that I will not take any points of order on this or any other matter until the item of business is finished.

**Mr Nesbitt:** I rise because, not for the first time, Paris, its natives and its tourists have been subjected to a most vicious and vile terrorist attack by religious extremists. To date, 132 are dead. Hundreds more are injured, many fighting for their life. Why? Because they ended the traditional working week in a bar or a restaurant or by attending a concert. It is hard to accept that, in 2015, such a simple act as shopping or socialising should represent an existential threat to life, but that is the grim reality of terrorism.

The House must take a firm stand against those terrorists, who, of course, are not just attacking Paris or France but represent a threat to the Western World and beyond. We must also demand a robust response. The Prime Minister has told us that, here in the United Kingdom, the threat is severe, and he revealed today that the security forces have prevented no fewer than seven planned attacks in the United Kingdom this year.

We must also remember who the enemy are. We must not paint everybody with the same brush. No Member of this Assembly should be held responsible if a high school in the United States is shot up by a white Christian just because we share the same colour of skin and the same religious affiliation. The enemy are the extremists, and any security policy must make that very firm distinction.

Today, we should focus on the human cost of the inhumanity of the perpetrators. On behalf of the Ulster Unionist Party, I extend my deepest sympathies to the families of the deceased and the injured, to President François Hollande and to the people of France. We stand together with them in defiance of those who have attacked our way of life.

In concentrating on the human cost, I finish with a quote from a restaurant worker in the wake of the attack. He said:

*"One woman had been shot with several Kalashnikov bullets in her side, and she had a huge hole there,*

*an open wound. There was nothing anybody could do. She was only about 20 years old. I knelt down and talked to her. I told her not to move and to take deep breaths. She didn't complain at all, or even say anything. She was just looking up at me and her eyes faded away. I will remember her face and her eyes all my life."*

**Mr P Robinson:** Mr Speaker, thank you for the opportunity to join in expressing our revulsion and horror at the evil bloodbath in Paris on Friday evening, and for organising the minute's act of remembrance in the Great Hall this morning. We, in equal measure, send out our sympathy and support to the people of France. We, from our experiences, can truly empathise with them.

This was not an attack against a military or government target. The gunmen were not engaging their enemies in open warfare, nor were they locked in conflict with an army that they opposed. This was an attack upon innocent, defenceless and harmless citizens. It comprised coordinated assaults upon a concert hall, a football stadium, bars and restaurants. These were attacks on people who were out relaxing and were enjoying an evening socialising or at sporting or entertainment events. It is hard to think of less threatening or less hostile targets.

Those of my vintage will vividly remember from our country's dark past all the emotions felt last Friday by the population of Paris: the desolation, the anxiety for friends and relatives who were in the area of the attacks, the grieving for victims and the apprehension for the future. They will know for sure that life will never be the same. The scale and the merciless savagery of the carnage will make these killings stand out, but, for all the victims and survivors of terror, every act over the decades leaves a life-changing impact.

On behalf of the people of Northern Ireland, we mourn with the families of the Paris victims and pray for the recovery of the many who are critically injured and scarred. From this Chamber, we extend our condolences to the citizens of Paris and the people of France. As they mourn, we stand with them in solidarity.

**Mr Ó Muilleoir:** Go raibh maith agat, a Cheann Comhairle. On Friday night, like other Members, I followed the terrible events in Paris by social media, radio and TV, but I also had a running commentary because my daughter was down the street from Le Petit Cambodge, which was the first restaurant that was attacked.

I thank those who gave her and her group shelter that night close to the restaurant. In the hours since then, she has told me about the atmosphere in Paris; about how

frightened people are, but also how resolute they are. In her boyfriend's circle, one young man was killed in the Bataclan concert hall, and, in her place of work, one friend has a close friend still missing. That is the horror that brings us here today in solidarity with Paris.

I will start en français: nous sommes solidaires du peuple parisien en ce moment terribles. Nous exprimons notre plus grande compassion à tous les citoyens de cette ville blessée. Geallaimid comhghuaillíocht le muintir Pháras ag an am chorrach seo, agus déanaimid comhbhrón ó chroí le muintir na cathrach cráite sin. We pledge our solidarity to the people of Paris at this terrible time. We extend deepest sympathy from across our community to the victims and survivors of Friday night's horror. We send our love and respect to the people of the wounded city of Paris, with which we enjoy close ties of history, heritage, commerce and community. Our thoughts this morning are with all victims of the global wars that engulf us today. Of course, the civilian populations suffer the most in those wars and are the most frightened, as we saw clearly in not only Paris but Beirut at the weekend. We stand, therefore, with the people of Paris in their message to the assailants who carried out Friday night's horrific attacks. We use the words of the famous civil rights song: Nous n'avons pas peur. Níl eagla orainn. We are not afraid.

**Mr Eastwood:** On behalf of the SDLP, I express our sincere sympathy and solidarity with the people of Paris following the devastating scenes that unfolded on the streets of the city over the weekend. As our party members gathered in Armagh, we were acutely aware of the tragedy that was taking place in the French capital. It cast a shadow over our proceedings.

I also express our profound sadness following the suspected ISIS bombing of a busy Beirut marketplace that killed over 40 innocent people. These attacks, no matter where they happen, the scale of the destruction or the culprit, are an attack on all of us who value the primacy and power of peace. As a people and as an island, we acutely understand the suffering of the people of France and Lebanon. We know what it is like to face the threat of terror and violence, and to face down those who seek to murder and maim their way to political goals. Today, we stand in solidarity with the founding principles of the French republic: the liberty to live our lives free from the threat of violence; the equality of all peoples, regardless of colour or creed; and a fraternal bond between all peoples and all parties committed to the power of peace as a tool for change. We are all united in the Chamber, across these islands and across Europe against those who seek to shake the foundations of our peace. Let that spirit of unity be the message that we send to them. It says more than anything else we could do.

**Mr Ford:** On behalf of my colleagues, I associate us with remarks already made in the Chamber. I thank you, Mr Speaker, for your initiative earlier today in arranging the opportunity for not just Members but staff and visitors to show their solidarity to the people of Paris and France in the wake of the multiple atrocities that happened last Friday evening. Of course, as has just been said, we should not forget the similar atrocity that happened in Beirut, the ongoing challenge posed by the atrocities being perpetrated daily in Iraq and Syria by ISIS, and similar actions that happened in relatively recent times across the

Middle East and north Africa, particularly in Kenya and Nigeria.

France is one of our closest neighbours geographically. It is a partner and has been an ally. It is a business partner, a partner in times of difficulty and a partner in terms of where many of us first had our opportunities to experience life in a different culture. So it is felt particularly sensitively by people throughout these islands when they see the atrocities that happened in Paris — somewhere that people can associate with holidays and times of great pleasure for themselves.

### 12.15 pm

It is one of the ironies of this weekend that, in 1940, and, indeed, again in 1944, Paris was declared an open city, so that not only the architecture but the people were left undisturbed in the opening and closing phases of the Second World War. It is a further irony that a friendly football match was being played in the Stade de France between France and Germany. That is an indication of where we in Europe have moved on in recent years, but where there clearly are challenges from those who do not accept the fundamental principles of human life and welfare that we do. Friday was a direct attack, not on any perceived justifiable target, not even in the twisted sense that would have justified the attack on 'Charlie Hebdo' earlier this year, but on ordinary people — Parisians, others from throughout France, visitors — engaging in what people throughout Europe engage in on a Friday night, the opportunity to go out with friends and enjoy themselves with whatever entertainment they wish. That is why it has so devastated so many people; that is why it has affected people so strongly in what that meant. That is the reason why we must ensure that we do not have just words but that we stand together in practical solidarity with our French neighbours, whatever language we speak and whatever way we express it. Whether it is in French, German, English or Irish, the message has to be of solidarity in the face of those who would carry out such terror, and a unity of purpose that we will protect human life and human dignity, wherever the threat comes from.

**Mr Allister:** I join in the sentiments of shock, dismay, empathy and deep sympathy with the people of Paris and France at this time. We in this Province, of all places, know the horrors of terrorism. The scale of the slaughter in Paris, I think, causes us to struggle with the question of how any human being could do such things. It is a question that had to be asked in this Province as well, because the uncomfortable truth is that the unmitigated evil that manifested itself in a theatre in Paris was the same unmitigated evil that lined innocent workmen up against their van in Kingsmill and riddled them to death; the unmitigated evil that launched an attack on a restaurant in Paris was the same unmitigated evil that attacked a pub in Greysteel or in Loughinisland; and the unmitigated evil that launched bombs to kill was the same unmitigated evil that we experienced in La Mon and, yes, even in the most sacred of places, a remembrance service in Enniskillen. Terrorists — all terrorists — are evil and remain evil. There are no good terrorists, even in retrospect. I trust that the people of France will have the resolve and determination to ensure that they will not pander to terrorists or fete them in any way, such as happened in this country.



Another uncomfortable truth is that the open borders of Europe, sadly, have the appearance of supplying a supply line to the fifth column in Europe that would destroy our civilisation. Europe needs to assert itself and assert control over its borders before more of this horror is visited upon us. I trust that that will be a lesson learned from this horrendous episode.

**Mr Agnew:** On behalf of the Green Party in Northern Ireland, I would like to express my condolences to the people of France, particularly those families who have suffered directly as a result of these attacks. It is hard to understand the mindset of people who are so determined to cause misery, suffering and death and to think that, whilst we all join here in sympathy and sorrow, somewhere, there are those who celebrate those actions. That is very difficult to fathom. What is important is how we respond. I look back to the response of the Norwegian Prime Minister after the horrendous atrocity that was committed by Anders Breivik. His answer to the violence was that we need more democracy and more openness, but not naivety. That is easy to say and difficult to achieve, but it has to be our starting point. We must protect our way of life, but we must not do so by destroying it.

I have only questions, not answers. My fear is that the simple answer to the complex questions and situations that we face is usually the wrong one. We have to question how we respond. My party stands on a platform of non-violence. That is not to say that there should be no violence ever: violence can be acceptable only if and when it prevents greater violence. Again, I think that it is another principle with which we should underpin any response to these attacks. I do not believe that fighting fire with fire is the way forward. The way to mourn victims is not to create more innocent victims.

I wish the absolute best to those who are injured and in recovery and to the families who have been directly impacted by these attacks. I stand in solidarity with that wider community. This attack has had ripple effects throughout Europe. I stand in solidarity with all those who absolutely abhor terrorism.

**Mr McNarry:** It is not that long ago that we in this House said, "Je suis Charlie" after those murders by ISIS. We in UKIP offer our sincere condolences and sympathy to all those who have been bereaved and saddened by the carnage in Paris. We think that we are right in speaking up for many people to demand that the evil perpetrators be brought to justice and that the horror of Paris is not repeated.

I note that COBRA has been meeting to mobilise national security. That includes us. I trust that our cities, towns and villages can be assured that they, too, are protected from attacks by ISIS just as people across the rest of the United Kingdom have that assurance.

Our best wishes to Paris. Let us hope that we can all visit it for better times in the future.

**Mr B McCrea:** Of course, we must send our condolences to those who have suffered and show our solidarity in standing with France at this tragic time. One of the key questions that we might all consider, however, which has not yet been discussed in this Chamber, is why it is that France has become the focal point of the ISIS campaign. Why is it that France is identified as the crusader whilst others are not?

I know that President Hollande will have been disappointed in the support that he had from some people when he wanted to take air strike initiatives. There was a vote in the House of Commons, and there was a reference to the United States Congress, but Hollande and France were left standing alone. That is why they are the ones who are identified as being at the point of this war. We, therefore, all have decisions to make about whether we are going to stand four-square with them and whether we are going to do more than just issue words and platitudes. We will have to consider what the right way forward is.

Mr Allister said that there are no good terrorists. I suppose that the rejoinder to that is that there are no good wars. What is the appropriate response that we all must make to this challenge to our democracy? There is a danger that there will be a knee-jerk reaction against Islam and against Muslims. The ISIS strategy is to divide humanity. Not all those people are bad people. We must find a way to show our humanity and our support. We must win hearts and minds. That is the way forward, and it requires cool, calm and calculated thought and not necessarily a knee-jerk reaction.

**Mr Poots:** As we all realised the scale of what happened on Friday evening, we were shocked and stunned at the events. The fact that so many people lost their lives is something that we should all draw on, as well as the pain that has been caused to all the families that are involved. Such an unmitigated waste of human life is an absolute tragedy.

It makes us think back a little to the 7/7 murders that took place in London and the 9/11 murders in New York, which emanated from similar sources. A little further back, we go back to the murders in Omagh, Teebane, on Bloody Friday, in McGurk's bar, and the Shankill bombing. These things are all the same; they all happen when someone else thinks that they have a right, for a cause, to go out and take other people's lives — innocent people's lives. Of the 129 people who are reported dead, eight of those are not innocent victims but murdering terrorists, and we must always remember that. Those people are not in the same classification as the innocent victims in Paris from many parts of the world.

We need to reflect on our policies. Mr McCrea and Mr Allister spoke about that from different angles, but the foolishness of opening up borders without having any checks or balances is ludicrously stupid. We need to be compassionate to people who are in desperate situations, and we need to support them, but allowing an absolute free flow across our borders without any checks or balances being put in place will inevitably lead to more people with a terrorist background coming into Europe. That is totally unacceptable.

I have taken my family on holiday to France many times, and we have spent many wonderful times in that beautiful country. Today, we stand with the people of France. Vive la France, vive la liberté.

**Ms Sugden:** I take no pleasure in joining Members of this House to express my horror and deep sadness at the events in Paris on Friday evening. I offer my sincere condolences to those who have been bereaved of those lives that were taken so callously by others. When a loved one is taken from you at the hands of another, the pain sears through your whole being and that pain never leaves you; it scars you. Mr Speaker, it takes a special

kind of bastard to inflict that pain on so many. I apologise for my language, but I really cannot think of any other word to describe them. Friday's events were inhumane. They were carried out by bad people driven by a gross misinterpretation of religion and God. They have no place among us. I stand by the people of France and all the people of the world who are fighting against this evil.

**12.30 pm**

**Mr D McIlveen:** I, too, offer our sincere sympathies to the people of Paris today, who no doubt find themselves still under an immense shadow of darkness over the events that unfolded over the weekend. I remember that, on 26 June last year, I had the opportunity to go to a concert in the Bataclan, and it was a place of happiness and celebration. It was a place where people of all different creeds, colours and races gathered together to enjoy an event. For those who have not been in the venue, it is comparable in size and layout to the Ulster Hall in Belfast and has limited points of exit. To think of those cowardly, grotesque, inhumane people coming into the building and opening fire indiscriminately while the poor people who were contained therein had really no easy means of escape is just horrific beyond any description or explanation.

One of the founding principles of France was the principle of liberty and of freedom. This was an attack on freedom. It was an attack on those of us who believe in the right of each individual country and each individual people to determine their own direction of travel. It was a grotesque attack on that principle. The rise of Islamic terrorism throughout the world has spread like a cancer. There have been attacks throughout many cities in many places — everywhere from New York to Jerusalem to Paris to Beirut. We have seen it in London, and we have seen it right across many major cities in the world.

I find myself agreeing with what a number of colleagues have expressed today. With cancer in a physical sense, you do not talk to cancer. You do not persuade cancer to leave a person's body. You have to deal with it aggressively. You have to deal with it in the right way. We have to be very careful, Mr Speaker. This is not a war on Islam or on any religion, but this is and should be a war on terrorism and on the very people who threaten the liberty of the people of France and on the people who threaten the freedom of the people of Europe and the Western World. I urge our Government in Westminster to step up to the mark now and rally behind those countries that are taking a forward-thinking approach to dealing with this blight of terrorism that we find in our country at this time.

**Mr Speaker:** Thank you. I will make one point. We are talking about very emotional and terrible circumstances, and I regret the fact that one Member departed from what I thought was a very appropriate level of discussion and conversation. Despite the circumstances, I see no excuse for that departure, and I hope that it does not happen again.

## Assembly Business

### Committee Membership

**Mr Speaker:** As with similar motions, the motion will be treated as a business motion, and there will be no debate.

*Resolved:*

*That Lord Morrow replace Mr Paul Girvan as a member of the Committee for Enterprise, Trade and Investment; and that Mr Paul Girvan replace Lord Morrow as a member of the Committee for the Environment. — [Mr Weir.]*

## Executive Committee Business

### Pension Schemes Bill: Consideration Stage

**Mr Speaker:** I call on the Minister for Social Development to move the Consideration Stage of the Pension Schemes Bill.

*Moved. — [Mr Storey (The Minister for Social Development).]*

**Mr Speaker:** No amendments have been tabled to the Bill. I propose, therefore, by leave of the Assembly, to group the 53 clauses of the Bill for the Question on stand part, followed by the two schedules and the long title.

*Clauses 1 to 53 ordered to stand part of the Bill.*

*Schedules 1 and 2 agreed to.*

*Long title agreed to.*

**Mr Speaker:** That concludes the Consideration Stage of the Pension Schemes Bill. The Bill stands referred to the Speaker. Thank you, Minister.

## Private Members' Business

### Human Transplantation Bill: Second Stage

**Mr Speaker:** I call Mrs Jo-Anne Dobson to move the Second Stage of the Human Transplantation Bill and to open the debate.

**Mrs Dobson:** I beg to move

*That the Second Stage of the Human Transplantation Bill [NIA 64/11-16] be agreed.*

I welcome the opportunity to move the Bill. I rise to speak, first, as a mother of a transplant recipient and as an unashamed lifelong supporter of the life-saving and life-giving power of organ transplantation. I feel that it is only right that, in the Chamber, we reflect our life's experiences in what we do and seek to achieve as elected Members, in the interests of all our constituents.

If Members will allow me to be personal for a moment, long before I entered politics, our life as a family was turned upside down with the birth of our second son, Mark. We knew when he was five weeks old and diagnosed with severe reflux of the kidneys that he would be very ill throughout his young life and would eventually need a kidney transplant. We never knew when that would happen but, at the age of 13, his kidneys began to slowly shut down. The wonderful staff at Craigavon Area Hospital and then the Royal Belfast Hospital for Sick Children, including the amazing Professor Maurice Savage, Dr Mary O'Connor, renal nurse Hazel Gibson and her team, became our second family. They loved and cared for Mark as if he was their own. I will never ever be able to repay those 15 years of care that we received during the seemingly endless journeys to and from, initially, Craigavon, and then the children's hospital, before his transplant.

Like every transplant patient, Mark celebrates two birthdays each year: his real birthday on 20 March, and the birthday of his new life on 5 February. In all life's experiences — birth, marriage and, ultimately and unfortunately, death — nothing can, could or should ever prepare a young mother, as I was, to look at the very real prospect of losing her son or daughter. I faced that prospect, and I firmly believe that it shapes you as a person for the rest of your life. It gives a real sense of priority and focus, and, in our case, it strengthened an already strong faith at that time and has done so ever since.

Now that Mark is through his transplant and has returned to his fit and generally healthy self, he knows too well the responsibility that comes with looking after the precious gift that saved his life. I know countless transplant patients who, in their daily lives, seek to honour that gift and honour the donor in all that they do. Three years after his transplant, when he became 18, Mark moved from the care of the children's hospital to the wonderful care of Dr Aisling Courtney, the clinical lead for transplantation in Belfast City Hospital, and, more recently, to Dr Neal Morgan, consultant nephrologist at Daisy Hill Hospital, Newry.

In our home, we know what it is like to have someone save the life of our son because of a kidney donated by someone who died in England on 4 February 2009. We think of that person and their family every single day, but we will never know who they are. Like many families, we have sent a letter, and we hope that they have received

comfort in knowing how we appreciate, from the bottom of our hearts, the gift of new life that Mark has received.

Medical staff have played an important part in Mark's life and my family's life, and they play an equally important role in the lives of countless families touched by organ donation across Northern Ireland. It is for that very personal reason that I took the decision to bring forward the private Member's Bill. I want more parents to be able to see their son or daughter transformed back to having a fit and healthy life before their eyes, just as we saw with Mark, to move back from being a mere shadow of themselves, which they become following organ failure, and to see more people being released from a life sentence of dialysis and returning to as normal a life as possible.

The plain truth about organ donation is that the number of available organs does not meet the demand; and that, in a nutshell, is the reason why a change in legislation is required. I fully appreciate that this will be an emotional and, for many, a sensitive debate. I encourage Members to keep the recipients and donors at the forefront of their thoughts when making their contributions today.

I will spend a little time laying out the current stark reality facing local people when it comes to organ transplantation. The first and perhaps most striking thing is that 17 people from Northern Ireland died last year while waiting on a life-saving transplant. The local average is 15 people every year. In 2013, 932 local people underwent kidney dialysis, which is a three-times-a-week life sentence. In a sense, they are the luckier ones. There is no dialysis for people who need a heart, liver, lung or other organ. The only option for them is to receive an organ or to die.

Figures from National Health Service Blood and Transplant (NHSBT) provided to us by Assembly Research — and I pay tribute to it for the pack it has provided us with for this debate — show that, at the end of September this year, 162 local people were on the transplant waiting list. That is made up of 117 patients waiting for a kidney, five for a kidney and pancreas, seven for a heart, 13 for lungs, one for a heart and lung and 19 for a liver. Indeed, the figures for September this year see the highest number of patients waiting on a transplant for organs other than a kidney in the last four years where we have available figures.

It is also equally important to point out that the figures show us that there were no heart transplants conducted in Northern Ireland for Northern Ireland patients last year. That is a point that I know is being highlighted by the British Heart Foundation. That is despite five local patients receiving a heart transplant in each of the two previous years and four in 2011-12. Focusing on the transplant waiting list, that is 162 local people and their families who are waiting, watching and wondering when that all-important call will come to let them know that a match organ has been found.

Statistics should never be used to mask or hide the human reality felt by patients. Behind each and every one of those patients is an individual story of pain and anguish. None of us know when and if we may need an organ at some stage to save our lives. Anyone could be waiting on that life-saving telephone call; and those who have been in that position — and I know what it feels like — are best placed to describe it; but they are the lucky ones because, for them, that call came. For others, it is too late, that time has passed and that call will never ever come.

I well remember presenting to the Health Committee in 2013, and I was joined by Mr William Johnston, who is now chairman of the Northern Ireland Kidney Patients' Association. William waited for over 17 years until he received that call and had his transplant last year; but, on that day, when he presented to the Health Committee and the security guard at the door of the Senate Chamber asked him to turn off his mobile phone before he entered the room to present to the Committee, William fixed him with a stare and said, "My phone is never switched off. I never ever know when that call might come". I think that that highlights starkly for us the human reality behind the statistics and figures.

Last year, 17 people from Northern Ireland died while they were waiting on that telephone call to let them know that a match organ had become available. Members, for them, that call will never come. It is for them and for future generations that we need to adopt a different approach; to lift our eyes from the present to a future where organ donation is not viewed an exception but rather the norm.

#### 12.45 pm

Members, we often get much criticism in this Building for failing to bring forward legislation that brings a real benefit to the lives of people right across Northern Ireland. Few issues could be more important than introducing legislation in the Chamber that increases life chances and gives all our people — our constituents — greater hope for a new life after an organ transplant. Medicine has moved on considerably since the organ donor register was first introduced some decades ago. I believe that, as a devolved region of the United Kingdom with the right to frame our own legislation, we should follow the lead of the Welsh Government, through their Health Minister, Mark Drakeford AM, and my colleague Anne McTaggart MSP in Scotland, and work together to achieve the right Bill for Northern Ireland.

I am, however, a single MLA working alongside the Bill Office to bring forward a Bill of this extent and importance. I obviously do not have the Health Minister's army of staff and resources or, indeed, the equal armies of staff of the First Minister or deputy First Minister to bring forward this Bill. That is why I want to say at the outset that I am happy to work alongside any Member on any aspect of the Bill and would welcome input, help and assistance in bringing it further through the Assembly processes. I am also looking forward to a close working relationship with the Department of Health, and the Minister will be aware that, two weeks ago, I had a preliminary meeting with one of his directors. I am hopeful that this will provide help and assistance in the weeks and months ahead.

I am certainly open to improvements and changes that will achieve the right Bill for Northern Ireland. I very much welcome the support of the First Minister and recognise that he has given a clear commitment to me in the House to support the Bill. His views on the soft opt-out system were clear when, in response to Joe Brolly and Shane Finnegan when they asked him about the movement to change the law, he said:

*"If somebody dies in hospital, they need an organ, so the family are asked. How is that different from the family being asked in an opt-out situation?"*



That is a key point. I welcome the support for the Bill from the First Minister and the deputy First Minister, from Members across the Chamber, from councils and from MPs from all the local parties at Westminster. I would also like to commend the support that I have received from the volunteers and officers of the local and national charities, who work so hard to promote organ donation and for whom the donor families are the real heroes.

Each year, Dame Mary Peters, who until last year was Lord Lieutenant of Belfast, presents certificates to families of those who have donated life-saving organs following the death of a loved one. That is a fitting tribute to our amazing donor families in Northern Ireland by Northern Ireland's own ambassador, who is a lady in every sense of the word. I was delighted to receive her support for the Bill progressing today, and she joins a long list, including the majority of the public, in supporting the move to a soft opt-out system for Northern Ireland.

Looking through political party websites and manifestos is not something that I often find the time to do. However, they make for interesting reading. I have been delighted to see reference in manifestos, on party websites and in press releases to organ donation policies and, specifically, to support for the soft opt-out system. To give a flavour, I welcome its inclusion in the Green Party's policies as well as in the Alliance Party's 2012 manifesto. I welcome the support of Sinn Féin and the SDLP for the issue, and I know that Mark Durkan MP has been a regular attendee and supporter at the all-party parliamentary group for transplantation at Westminster.

Equally, the DUP's 2010 Westminster manifesto included the line:

*"In order to improve public health the DUP supports ... presumed consent for organ donation."*

I welcome my party's continued support for the introduction of a soft opt-out system at a policy and personal level, and I thank all political parties that responded to the consultation.

Whilst discussing the political stances towards organ donation, I am conscious that this matter should — and, in my opinion, will — remain well above party politics. We have more than enough policy issues that divide us in the Chamber, but on this issue, surely, as the Second Stage goes forward, we can unite and work together to introduce something that the public, our constituents, supports.

I like nothing more than taking time to visit renal units and chat to patients undergoing dialysis. For some, a transplant is not an option, and they are resigned to the fact that they will end their days on dialysis. For others, it is all about giving them hope. I am thinking of one family that I know where 12 members have a genetic renal condition. It is a family that never knows how long their children, or any family member, will have until their kidneys fail.

Imagine what providing hope to that family would mean to them when faced with a possible future on dialysis for any family member — hope that a new life will come. I firmly believe that, working together, we can deliver that hope to them, their family members and other families in the same position across Northern Ireland.

Let us also remember that one kidney transplant does not last a lifetime; kidney patients often require two or

three transplants during their life. They are also required to take a permanent course of immunosuppressive drugs to suppress the immune system, meaning that kidney transplant patients are prone to infection.

I was not alone in the House or among the organ donation community in being absolutely delighted to hear that the fantastic team at the City Hospital undertook five kidney transplants in one day in September. Whilst a one-off, it shows that we have the expertise and capacity for kidney transplants. However, I am conscious that that was a fantastic one-off event. We all want to see more people being given that chance of a new life and the hope that they need to go on. I firmly believe that a soft opt-out system will deliver that hope. I have nothing but admiration for the amazing staff in the renal units. We should be equally proud that our live donor programme at the City Hospital under Dr Aisling Courtney is the envy of clinicians across the world. I visited it on a number of occasions and pay tribute to everyone involved in that programme and wish it continued success.

However, Luc Colenbie, head of Belgium's successful transplant strategy, told me in Brussels at the beginning of the year that their experience was that live donor programmes will eventually reach a plateau. Belgium has a positive culture towards organ donation, in part because policymakers made the issue a national priority. When they switched to an opt-out system in 1986, there was an 86% rise in the number of kidneys retrieved for life-saving transplants. That change generated a positive change in the public's perception of organ donation that resulted in roughly 2% of their 11 million population saying that they did not wish to donate organs after death.

I apologise to my fellow Committee members if some of my contribution overlaps with my presentation to the Committee two Wednesdays ago, but these are important issues and central to the reasons behind the Bill.

One thing that I learnt over the past few years in bringing forward the Bill is that our local organ donation system is complex and confusing.

Indeed, a greater proportion of our transplants, currently 68%, come from people who have had no interaction at all with the organ donor register during their lifetime than from those who have.

Another aspect of our current system is that, even though we are one of the most giving people, with wide support in society for organ donation, we still have a relatively high bedside refusal rate, roughly 40% to 45%. That is another aspect where figures differ between opt-in and opt-out countries across Europe. Our high rate suggests that, prior to death, people often have not had that all-important conversation with their loved ones about their wishes. In other opt-in countries in Europe, the average refusal rate is roughly between 40% and 60%. As I said, in Northern Ireland, we are around 40% to 45%.

In opt-out societies, however, the rejection rate tends to be much lower, at between 2% and 15%. The bedside rejection rate in Belgium, incidentally, is closer to 2%. That fits in very well with the PHA's findings that 96% of local families agree to donation, if they know their loved one's wishes. So, the figures suggest that, in opt-out countries, such conversations are taking place and, when it comes to asking the family whether they know and can confirm the

wishes of their loved ones, they will be in a better place to understand and articulate those wishes.

**Mr Ross:** I appreciate the Member giving way. She highlights some of the opt-out countries where there has clearly been success, though I would contend that that success is to do with other mechanisms in their systems, rather than just the opt-out. She would, of course, acknowledge that there are other countries, such as Sweden, Brazil, Chile and a raft of others, that have moved to an opt-out system and their rates are worse than those we have in the United Kingdom and far worse than those in Northern Ireland. So, there is no real correlation between whether you have an opt-in or opt-out system. It is more to do with other issues, such as public awareness and experts in hospitals.

**Mrs Dobson:** I thank the Member for his intervention. That is precisely why clause 1 sets out that we need an education programme as well. If he reads the Hansard report of my speech, he will find that I referred to the fact that opt-out should go in line with the education programme as well, which is crucial for everyone to make their wishes known.

I take a moment to break down the main aspects of the Bill's content for Members. It is fair to say that, of the 22 clauses, the most important are towards the beginning of the Bill. The first clause places a duty on the Health Minister to promote human transplantation and to conduct a yearly campaign to inform the public how the new opt-out system would operate in practice, including the role of the family in affirming consent. The second, third and fourth clauses set out the requirement for there to be appropriate consent before a transplant can be lawfully conducted and cover, in detail, the two types of consent.

"Express consent" is where the individual can provide their own consent for a live donation; has engaged with the organ donor register to make their wishes known; appoints two advocates; or has placed their wishes in a will. That is the current procedure and, for donations after death, is subject to a procedure conducted by clinicians, where the family is required to provide express written consent to confirm the individual's wishes prior to donation proceeding. The Bill makes no change whatsoever to that current practice. If someone, for whatever reason, is opposed organ donation, they will, for the first time, be able to engage with the register to opt off and their family will not be approached at the time of their death.

The second form of consent is "deemed consent", where there was no interaction between the individual and the organ donor register during their lifetime. Following death, and in the knowledge that they have not engaged with the organ donor register during their lifetime, it will be deemed that they have provided the necessary consent for transplantation to proceed.

However, crucially, and I have always said this, consent is subject to family affirmation prior to donation taking place. This is included in clause 4. That is why having the conversation amongst family members and loved ones is so important, and I have always said that a duty to promote, as contained in clause 1, would be central to increasing public awareness.

**1.00 pm**

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

**Mrs Dobson:** No, I want to make my points.

It has been said many times in the Chamber that education is critical as we look to the future of organ donation in Northern Ireland. We should be focusing now on the needs of local families in five, 10, 15 or even 20 years' time.

There are certainly many lessons that I believe we can and should learn from the experiences of other countries. I come back to Belgium for a moment. It has a fantastic programme in its schools, where, from an early age, the power of saving lives through donation is introduced into the curriculum. I wrote some time ago to the Education Minister calling for the introduction of a similar system in our schools. In Belgium, they have changed the public view of organ donation from being an exception to being the norm. I believe that we can learn from those experiences.

I will now address some of the concerns raised during the recent Committee meeting. I commend the idea of people being able to nominate advocates when they sign up to the organ donor register. Concerns were raised about family members who may have an opposing view on organ donation. This is where advocates play such an important role. Advocates provide people with the opportunity to nominate someone to make the decision if they do not want to make it themselves at the time. The Public Health Agency's (PHA) consultation identified what it termed the "ick" factor amongst some respondents who simply did not want to make a decision or consider the issue.

The advocate would also have a role where someone has a specific wish or instruction that they wanted carried out after death. They could appoint someone to make that decision for them. If the person were to die in circumstances where donation is possible, their advocates would be asked if organs should be donated. Equally, if the advocates nominated have predeceased the person or cannot be contacted at the time, a family member or relation could be contacted and asked to provide consent. This is similar to the current situation when someone has interacted with the register during their lifetime.

We should also remember that there is a window of time after death during which clinicians may use an organ for transplantation. I stand to be corrected, but I believe that it is roughly 24 hours for a kidney, which is one of the most robust organs under the circumstances. That is why I feel that it is not advisable for people to make their wishes known in a will, because by the time it is actioned, the window may well be closed and transplantation will not be able to take place.

Concerns were also raised to the Committee about conflict between family members over providing consent for donation, something that can arise at present, albeit rarely. This is more likely when a family has not had that important conversation, and that situation is one the Bill seeks to resolve through greater public awareness. Initially, having the conversation between family members is the best way to avoid the situation. However, we have exceptional specialist nurses in organ donation, who are trained to deal with these situations and advise families at the time.

I support the crucial role that family plays in the process, not least because death does not just affect the person who has died but the whole family, who have a role to play. The consultation identified a willingness to retain the crucial role of the family in providing consent for organ

donation to proceed, and that is clearly in place at present for express, as it is in the Bill for deemed, consent.

On 4 June 2013 I launched my public consultation for this Bill. I am also grateful to the Public Health Agency for the findings of its two consultations on public attitudes towards organ donation, conducted initially in the same year. At that time, I wrote to each Member and provided them with a copy of the consultation document. In my letter, I reiterated that my door has always been open. I thank those Members who have taken the opportunity to meet me to discuss the Bill and to respond to the consultation.

The public consultation ran for 16 weeks and received 1,366 responses. Those responses were made both online and offline, and came from a mix of the general public, charities, councils, churches, the health and social care sector, political parties and others. A summary report was produced in October of that year, giving an overview of the 10 questions and the responses to them. That report is available in the Library and details responses that were positive, as well as concerns raised in answer to each question. It showed that 82% of respondents supported a change in the law and a move to a soft opt-out system. Also, 61% supported the attainment of the key role of the family and 86% supported protecting the rights of those who lack capacity in the legislation. Those views have been well reflected in the Bill.

I want, again, to record my thanks to each and every person and organisation who took the time to respond. I also want to record my grateful thanks to the local charities of the Transplant Forum as well as the British Medical Association, the British Heart Foundation, Opt for Life and others for their support in promoting the consultation.

In addition to my own consultation, the Public Health Agency conducted a consultation on public attitudes, also in June 2013. More recently, a PHA survey with figures from February this year again highlighted public attitudes to organ donation. The Public Health Agency survey highlighted 56% support for a move to a soft opt-out system in June 2013. That grew in the PHA's most recent survey to 61% of the public supporting a move to a soft opt-out system. Again, in 2013, 18% of the 1,012 respondents to the Public Health Agency's consultation were opposed to a change in the law geared towards soft opt-out. In 2015, that figure dropped to 10%, signalling a clear change in attitude, with the percentage of those opposed almost halved. That reduction could, possibly, be a result of the continued hard work of local charities, as well as the PHA's important 'Speak up and save a life' campaign, with its two powerful television adverts and associated campaigns. Few people can have failed to see the leaflets, posters and billboards, and that is precisely what clause 1 of the Bill envisages when it comes to public education. A continued programme such as that must be central to the future of organ donation.

It is also noteworthy that, in responses to the PHA's 2015 survey, 79% of the public agreed with the statement: "The soft OPT-OUT system will result in more lives being saved". The equivalent figure in 2013 was lower, at 74%, and I pay tribute to all of those involved in the charities associated with the continued promotion that is having an impact on the public's view on this issue.

When the Welsh Government decided to go down the route of a soft opt-out system, their surveys concluded that

49% of the public in Wales supported changing the law. As I said, the equivalent figure here was 56% in 2013 and at present, from the 2015 figures, we have a figure of 61%, according to the Public Health Agency. That shows clear evidence of public support from the majority of people for changing the law and that they believe that the move to a soft opt-out system will result in more lives being saved.

I would like now to focus on the finances. No one can ever put a price on what it is like for a transplant recipient to receive a new life; as a family, we know this in our home. However, there will inevitably be cost implications with this Bill. The Assembly research service has produced a research paper that looked into the implementation costs of the legislation.

The paper, which is entitled 'Organ Donation Bill: Estimated Financial Costs and Benefits' is available in the Assembly Library. I should also say that I look forward to working with the Department as we look in greater detail to the cost figures.

Assembly research estimated that implementation costs for the Bill would be between £2 million and £5 million over a 10-year period. Based on the assumption that implementation would be two years after the passage of the Bill, it reached the conclusion that the net discounted financial benefits from achieving one additional transplant a year over a 10-year period by organ type are as follows: £4.6 million for kidney; £6.3 million for liver; £2.3 million for heart; and £1.4 million for lung. More up-to-date figures from the Department will help to provide greater clarity. However, the paper's conclusion on the cost benefit to the health service of increasing transplant numbers is startling; it could be as much as £7.4 million net benefit to the Northern Ireland economy.

To give just one example, focusing on kidney patients for a moment, the average cost of keeping a patient alive through renal dialysis is £30,800 per patient per year. It is roughly £17,500 per patient per year for a patient on peritoneal dialysis and £35,000 per patient per year for a patient on hospital haemodialysis.

In response to an oral question that I asked in the Chamber, the then Health Minister, Mr Poots, confirmed that, in 2013, 932 local patients underwent dialysis. That meant a total cost of over £29 million to the health budget, based on NHS cost estimates, in one year alone. Each kidney transplant costs roughly £17,000 per patient. Post-transplant, the yearly cost of immunosuppressive medication is roughly £5,000 per patient, meaning that, for each kidney patient who receives a transplant, the NHS estimates that it receives a saving of £25,800 in the second and subsequent years. That obviously does not take into account the benefits of people returning to a normal life and the impact on their families, community and wider society.

It is very clear that the lack of available organs is placing major stresses and strains on local patients' families. One of the major reasons for that is that all transplants for local patients, with the exception of kidney transplants, are conducted in hospitals in other regions of the United Kingdom. Liver transplants for adults are conducted in King's College Hospital, London, and for children in Birmingham Children's Hospital. Heart and lung transplants take place at Freeman Hospital in Newcastle. Imagine the long and difficult trips back and forward to

those hospitals and the anguish and pain while they live with their condition while waiting on an organ.

The lack of available organs means that patients must endure a greater number of trips from home to hospitals across the country, at considerable strain to them and their families, and considerable cost to the health service. Increasing the availability of organs increases life chances and decreases stress, as well as reducing financial costs. I believe that the Bill will achieve that.

Recent figures from the British Heart Foundation reveal that there are 10 people in Northern Ireland on the waiting list for a heart transplant and one person waiting for a heart and lung transplant. According to the latest NHS transplant statistics — I mentioned this earlier — no one from Northern Ireland received a heart transplant last year. Can you imagine the stress and worry of those 10 patients and their families, often making multiple journeys to hospitals far away from home? They are arduous journeys for seriously ill patients. In some cases — I know this from experience — it is with hopes built up, only to be dashed when, for any number of reasons, a transplant cannot take place. That is sadly more common than it may seem. The arrangements for transporting patients from Northern Ireland to hospitals across England are complex.

Last year, I had the opportunity to visit the NHS Blood and Transplant organ donation and transplantation directorate in Bristol. It is miraculous to see that all transplants in the UK are coordinated through one tiny room in the middle of an industrial estate in Bristol. We are very fortunate to be part of the wider UK network, which allows patients to benefit from organs that are donated in the rest of the UK and vice versa.

#### 1.15 pm

Mark's kidney came from a donor in England and was held up by snow. That meant that, even though we had reached the hospital, his kidney had not. The team in NHSBT would have allocated the kidney to the next match on the list if the weather conditions had not improved. Thankfully, conditions improved and the organ arrived in Belfast healthy and within the timescale window for transplant.

Those are issues that few tend to consider when thinking about organ donation, albeit that they are important issues. That office in Bristol is where they match an organ to a patient and start the process by which patients receive the call, which I spoke about earlier. For me, visiting that room was quite a surreal experience, because I knew that that was where, with the call on 4 February 2009, the process started when an organ had been found for Mark. It was an emotional visit for me, and I was delighted to spend time with staff who operate that vital service 24 hours a day, 365 days a year. I was also delighted to meet Sally Johnson, NHSBT's director of organ donation and transplantation, and her team who maintain the organ donor register database. We discussed the future of the register and the likely impact of the Human Transplantation (Wales) Bill being passed at the Welsh Assembly.

I understand that — the then Minister Poots confirmed it — local patients can register on the Republic of Ireland's transplant register, but that means that they cannot be on the UK register at the same time. I also understand that arrangements are in place that make it possible for organ retrieval teams from the Republic of Ireland to operate in

Northern Ireland. It may be useful to seek clarity on that issue from the Department.

Last year, I was also grateful for the opportunity to meet the Welsh Health Minister, Mark Drakeford AM, in Cardiff. I also hosted Mark and Anne McTaggart MSP at a Long Gallery event just over a year ago.

Following my conversations with Sally at NHSBT, I was absolutely delighted when the new organ donor register was launched across the United Kingdom in July. That was a direct result of the Welsh legislation that comes into force next month, two years after being passed by the Assembly there, which is the same timescale that I have proposed in the Bill. The changes to the register included the provision for people to be a donor, to not be a donor or to nominate two advocates to help affirm and make that decision for them after death. I also very much welcome the fact that the Health Minister warmly welcomed those changes. However, it is important to note that we would need legislation to come into place through the Assembly here to enable us to avail ourselves of the changes, which, I understand, our health service has rightly paid its portion towards. This Bill makes those changes.

Under the current opt-in system, we have never broken through the glass ceiling of the mid-30% of the public in Northern Ireland signing the organ donor register and consenting to donation after death. That is despite decades of promotion by the charities and the recent campaign by the Public Health Agency. From the perspective of someone who has been working alongside the charities for over 20 years, I know that that campaign was very much welcomed, given the heavy lifting that the charities have been doing and continue to do, day in and day out.

One of the little-known facts is that signing the register does not guarantee that a person's organs can or will be used after their death. That is because the manner of an individual's death often determines whether it is possible. The donation rate in the UK is 26 donors per million of our population. People often assume that, if they join the register, it automatically means that they will donate their organs.

The facts are very different indeed. Donald Cairnduff, whose son Philip had a successful liver transplant in 2004, joined me in presenting to the Health Committee two weeks ago. I believe he explained it best when he used a footballing analogy. He asked the Committee to imagine, on the last day of the Premier League season, when all the games kick off at the same time, that every stadium hosting a home game is packed to capacity. Only 26 people among all those spectators in all those stadiums will become organ donors. Just 26; very long odds indeed.

That gives you a vivid idea of how rare it is for people to die in circumstances in which they can donate their organs. However, with over 90% of the population consistently supporting organ donation and people in their mid-30s pledging in the register, there is a considerable difference between pledges to donate and support for donation. Indeed, as I mentioned earlier, 68% of our donations come from people who have never interacted with the organ donor register during their lifetime. That feeds into the argument that I laid out earlier on our currently high bedside rejection rates, standing as they are between 40% and 45%. This is frighteningly high and shows that families have perhaps not had the crucial conversation about donating that would have enabled them



to better know what their loved ones' wishes were. They could then have confirmed and honoured those wishes by signing a document that is required by clinicians prior the loved ones' organs being donated.

The Bill does not propose to make any changes to the current system operated by clinicians, when an individual has already signed the organ donor register and has consented to donate their organs after death. I am also pleased by the three local public consultations into the issue of organ donation in Northern Ireland. The findings of the two PHA consultations into the issue of organ donation in Northern Ireland have been largely in line with the findings of my consultation for the Bill. I am also thankful that these consultations were conducted in parallel, as I believe that they too show that public support for a new opt-out system is rising. They also provide an independent assessment of the public's views on this issue.

It stood out for me that, when asked, only 36% of the public knew that the organ donor register existed in the first place. If you ask any of the countless local transplant volunteers, many of them are waiting for an organ transplant themselves, are successful recipients of a transplant, are family members of those who have donated or been recipients of an organ, or are people who, in some way, have an emotional connection with organ donation. They will tell you that it is their sole life's purpose and drive to increase the number of organs available for transplantation. Members, these people deserve our respect, gratitude and praise. They are the true heroes in Northern Ireland, and they have absolutely nothing but my admiration and praise for all that they do to help increase the life chances of others.

It must never, ever be forgotten that behind each volunteer is an individual story of emotion and one that will tug at the very heartstrings. We have heard so many of their stories through the all-party group, which I am honoured to chair. I am delighted by the fact that it has become an efficient vehicle to bring to the Assembly the stories behind human transplantation, whether it be an individual's story, the fantastic success of the transplant games athletes from Northern Ireland or the views of individual groups and charities.

Organ donation has a voice in this Building. I, for one, am truly glad that that is, and will continue to be, the case. I am truly humbled and delighted, as a mother of a transplant recipient, to be included in their number, and to work towards an aim that many of them have held close to their hearts for many decades. Members, I am asking you to join this campaign today. I will say in the House again what I have said many times before, that I bring the Bill forward first as a mother of a transplant recipient and as an organ donation campaigner who happens to be a Member of this legislative Assembly.

It is with a deep sense of pride and purpose that I commend the Second Stage of the Human Transplantation Bill to the House. I look forward to Members' contributions to the debate and the ongoing help and assistance to deliver the best Bill possible for the people of Northern Ireland. We owe it to the present generation who are awaiting a transplant, and we owe it to future generations to come, to change the law and to improve the life chances for all our people.

**Some Members:** Hear, hear.

**Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a Cheann Comhairle. I

thank the Bill sponsor for that very detailed overview of the Second Stage. On behalf of the Committee for Health, Social Services and Public Safety, I note the introduction of the Human Transplantation Bill. As the Bill sponsor outlined, the principal objective of the Bill is to save lives — that is very clear — by changing organ donation laws, by introducing a new soft opt-out option with safeguards and by placing an additional duty on the Department to educate the public on organ transplantation.

The Committee heard evidence from the Bill sponsor on 4 November 2015, accompanied by the father of a recipient of a successful liver transplant. We heard at first hand how successful organ transplants not only save lives but enable people to live their lives more fully — for example, by freeing them from the need for dialysis. The Bill sponsor also spoke about the differences between express consent and deemed consent and the role that families and advocates would play in decision-making under the Bill. The Bill sponsor provided the Committee with a range of statistical information, some of which has been referred to today. It is quite stark when we hear that, on average, 15 people die waiting for a life-saving transplant locally each year; in fact, 17 people died waiting last year. That is a stark reminder for all of us. We also heard about the results of the three consultations on organ donation that have taken place in the last year — the consultation on the Bill and the two consultations by the Public Health Agency. During the evidence session, the Bill sponsor stated that the majority of respondents to the consultation on the Bill and the PHA's attitudes surveys were supportive of some sort of soft opt-out option.

The Committee appreciates the importance of the issue of human organ transplantation, and there is an acceptance that more must be done to improve donor levels and transplantation rates. The Bill has the potential to affect every one of us, and that was emphasised by Committee members. It has to be acknowledged that there are wide-ranging opinions and feelings on the subject of organ donation. Regardless of whether people support organ donation itself or are themselves on the organ donor register, there are differing views on the soft opt-out option proposed in the Bill.

Some Committee members have some concerns around the Bill, and there are a number of areas that will need further exploration and clarification. Some of those areas were raised during the recent evidence session with the Bill sponsor. An obvious concern was that of consent. The introduction of the soft opt-out option was discussed, and members spoke of how organ donation is approached in other countries — the Bill sponsor has referred to some of that today — such as Wales, Belgium and Spain, and what levels of success they have had in relation to donor and transplantation rates.

We also know that further affirmation will be sought after death unless a person had already taken their name off the register before death. That affirmation can come from family members, advocates or others as outlined in the Bill. Although the affirmation is intended as a safeguard, it has the potential to raise issues. Consent to organ donation is a difficult decision for families to take, particularly at a time of terrible grief and loss, and it is made even more

difficult if there are differences of opinion between family members or others involved. During our evidence session with the Bill sponsor, a number of members outlined possible scenarios whereby consent might be disputed; for example, where there is a potential donor who has expressed consent to organ donation and has perhaps appointed advocates, but whose family is opposed.

Other scenarios include those where family cannot be located or where there is disagreement between the next of kin. In those circumstances, who has the balance of power?

### 1.30 pm

Another issue raised was the role that clinicians play. Are they expected to make decisions that may go against families' wishes? Importantly, how do they feel about the proposed legislation? Should the Bill pass Second Stage, the Committee will want to hear from those clinicians who will be making the judgements and decisions on the ground.

Some Members raised the point that many people view organ donation as a gift freely given and expressed concern that the proposed changes to the law could alter that. Another issue discussed in our evidence session was finance, and the Bill's sponsor alluded to some of the statistics, and whilst it is apparent, no one can put a price on good health. The issue of finance needs to be considered.

The Committee heard evidence on the cost of implementing the Bill, the cost of dialysis for kidney patients, and the cost of transplant surgery. Initial figures produced by the Assembly Research and Information Service indicate that it would take between £2 million and £5 million to implement the Bill. However, the Bill's sponsor advised that the net benefit to the health service and the local economy of increasing transplants could be as much as a £7.4 million.

The Bill proposes to place additional duties on the Department to promote transplantation and to provide information about transplantation through a campaign at least once a year. That is intended to raise public understanding of organ donation and to make it more socially acceptable to discuss the issue. It is clear that education and communication are key if any change is to be effected in donor and transplantation rates. Some feel that a cultural change is also needed so that organ donation is discussed openly and frankly, particularly between family members, and the wishes of potential donors may be known, making it easier for next of kin to take that difficult decision if the time comes.

The Human Transplantation Bill is an emotive and complex piece of legislation, and, should it pass Second Stage, the Committee will consider all the issues raised and report its opinion to the Assembly.

**Mr Ross:** I thank the Member for giving way. I have listened intently to what she said. She mentioned consent being raised as a concern by some Members. The Health Committee has looked at this Bill and at a range of other Bills in which consent is an issue. Is she aware of any other area of medicine in which silence from an individual on an issue is deemed as their consent to do something to their body?

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Member for his intervention. I was going to mention consent

in my comments as an MLA. We need to be very clear not only on the issue of consent but on the issue of conflict, as it may arise. I was about to say that I hope that some of the issues that need to be reflected in the Bill will be progressed in that manner.

I thank the Bill's sponsor for bringing the Bill to the House today. The Committee notes the Second Stage of the Bill. As a constituency MLA, I look forward to engaging with, and maybe enhancing and strengthening, the Bill as it passes further stages. Go raibh maith agat.

**Mr Easton:** The Human Transplantation Bill makes provision concerning the consent required for the removal, storage and use of human organs and tissue for transplantation and connected purposes. It must be enacted by the Northern Ireland Assembly and assented to by Her Majesty The Queen.

Under the Bill, the Department of Health, Social Services and Public Safety must promote transplantation. It must also provide information and increase awareness of transplantation and inform the public about the circumstances where consent to transplantation is deemed to have been given and the role of relatives and friends in affirming that deemed consent. That also includes a duty to promote a campaign informing the public at least once a year.

The Bill contains 22 clauses and one schedule. It is proposed that the Bill will seek to increase the availability of organs for the purpose of transplantation through a consent process requiring affirmation after death unless the person has already taken their name off the organ donor register.

At the moment, human transplantation is governed by the Human Tissue Act 2004, which is a piece of law that applies to England, Wales and Northern Ireland. It is stated that, if the Bill becomes law, it will fit into the general framework already established by that Act. Some parts of the Bill repeat the provisions of that Act and make them apply to transplants under the Bill. Some parts follow the approach taken by the Human Transplantation (Wales) Act 2013. The Human Transplantation Bill will result in consequential amendments to the Human Tissue Act 2004. Those amendments will see a number of sections of the Human Tissue Act becoming non applicable to Northern Ireland, and restrictions will be put in place where consent is required.

The sponsor of the Bill undertook an extensive public consultation over 16 weeks on the policy objectives and proposed approaches of the Bill. A total of 1,366 responses were registered, from which it is said that a sizeable majority agreed with the objectives of the Bill. The majority of respondents stated that they believed that legislation and the introduction of a soft opt-out system would make a greater number of organs available for transplantation and therefore increase the chance of saving lives. A clear majority of respondents to the consultation also agreed that the family should continue to play a key role in the decision as to whether donors should have their organs removed.

At the end of the consultation, the sponsor gave a detailed overview of the responses to each of the questions available to the public. The overview included the number and percentage of each response and an overview of positive comments made and concerns expressed about each. The sponsor also briefed the Stormont all-

party group on organ donation as to the findings of the consultation. I ask the sponsor this: how many of those who undertook the public consultation were from a medical background or worked in the field of medicine? The Royal College of Surgeons has expressed concerns in a recent article. I wish to hear from it. We need to hear more from the medical world on this issue before any final decision is made on the Bill.

I also note a letter sent to me by Dr John D Woods, the BMA Northern Ireland council chair, in which he mentions concerns over clause 4(2). He states:

*"We realise that family involvement is a sensitive issue but the proposal at clause 4(2), Deemed Consent: deceased adults, we believe could lead to confusion."*

He then goes on to offer an amendment. It is something that we maybe need to examine.

The Bill before us today has the potential to affect every single person across Northern Ireland at some stage. The sponsor of the Bill is bringing it forward with good intent. However, I still need to have further information on various issues as the Bill reaches the Committee Stage for scrutiny and clarification and to gain a better knowledge of the facts for myself before I can reach a conclusion. I am open-minded, but I need to be sure on issues such as costs. How will everybody be informed? How will people be able to take themselves off the list? What about dealing with sensitive issues of asking loved ones to give consent after their family member has passed away? What about training for staff on these issues? Will this boost organ donation? We see from some countries that it actually has not but that it has in others. Will there be too many donors? If so, will organs be sent to other regions of the United Kingdom or even further afield? I am also keen to see what it means under the Welsh model and how it is going to work there. I want to speak to the transplantation teams and explore the Welsh model.

Those are all questions that need to be explored. I ask that the Bill be given the proper time at Committee Stage, rather than being rushed through, so that we get all the facts. It is a vital issue. I thank the sponsor of the Bill for bringing it forward for consideration to the House. I hope to get a better understanding of the Bill as it progresses.

**Mr McKinney:** I welcome the opportunity to contribute to today's extremely important debate, and I am grateful to Mrs Dobson for bringing it to the Chamber. I know that she has worked extremely hard over the last few years in pushing for a legislative change to organ donation law to ensure that the many people on waiting lists have the best possible prospects for receiving a life-changing transplant. I encourage Members to think about that as we continue our discourse around the subject. Mrs Dobson and her staff deserve the highest recognition in the Chamber for their sustained hard work in bringing forward the Bill. Indeed, their contribution to the Committee reflected the depth and breadth of that hard work, and that has been reflected again, today, with the weight of her contribution.

As we have heard, about 200 people in Northern Ireland are waiting for an organ transplant. Sadly, 17 died last year, as we have heard, long before being offered one. So, it is important that the Chamber does everything it can to ensure that people on waiting lists have the best chance of receiving a life-changing organ. As I said, I urge Members

to consider those lost lives and the, potentially, increasing number of lost lives, when they reflect on all these issues.

I welcome today's debate. Perhaps, the most important aspect of it is whether we move from an opt-in to an opt-out system. An opt-out system, as we have heard, requires an individual to explicitly make it known while they are alive that they are not in favour of their organs being used for transplant when they die. The key difference is that an opt-in system involves people expressly stating a wish that their organs and tissues be used for transplant on their death, while an opt-out system assumes that organs and tissues are available for transplant, unless there is a specific instruction to the contrary. At the moment, the fundamental principle is that organs are donated actively, freely, voluntarily and unconditionally using a soft opt-in system.

The proposed change is to promote organ donation more widely and raise levels of consent, improve public awareness and ensure best practice at all stages of the donation process, but the decision that we in Northern Ireland need to make around a change in the law involving organ donation involves ethical, legal, medical, organisational and societal components. The important balance to be struck is between respecting the views and rights of a potential donor and their respective families, and obtaining organs in an efficient manner. As I said, the weight of the contribution by Mrs Dobson and her team, at Committee and the Assembly, reflects real depth and a consideration of those issues.

In considering the change to an opt-out system, the Welsh system, which comes into effect next month, provides key guidance. Welsh authorities have stated that the process for opting out would be very straightforward, with people being able to opt out at general practitioner surgeries, online or by phone. The Welsh system presumes consent, but allows people to opt out. They can also confirm their wish to opt in. If no preference is registered, the assumption is that they wish to donate. At the time of death, the family is asked whether they know whether the person wished to opt out. They are not asked to make a choice, but simply to confirm, if they can, their loved one's wishes. If they do not know their loved one's wishes, donation is presumed. However, I welcome the concept around the proposer of the Bill's ideas on advocates.

During the past two years between —

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

**Mr McKinney:** Yes.

**Mr Ross:** The Member has been on the Health Committee and has been a health spokesperson for some time. Does he share the concern that the Bill would make the absence of an objection to being considered as an organ donor equal to somebody who has expressly said that they wish to be an organ donor? Is he not concerned that silence on the issue is going to be deemed as consent? As I asked the Chair, earlier; is he aware of anywhere else in medicine where consent is presumed or deemed by any member of staff?

**Mr McKinney:** I do not share the concern. I am interested in the way that the Member phrases it. He asks if I have a concern. I do not have a concern. Clearly, he does have a concern, and he has the right to reflect it. I think that that is the importance of this discussion; we must have the debate and put in as many safeguards as we can around

this. As I said at the outset of my remarks, we are talking here about lost lives and the ability to do something about that; trying to reach out to the community in a way that allows people to make decisions about potential organ donation and raising public awareness of it.

#### 1.45 pm

Fundamentally, I understand — I will get to some of the finances in a moment — that it is very important that we treat this debate in the most respectful way possible. I re-emphasise that the depth and breadth of the work here, and the outreach that is being done by the proposer of the Bill — the scale of that work and interrogation of the issues — will allow us, particularly me and lots of people in the community who will have concerns about this, to move forward in the most comfortable way possible, so that we do not allow fears to be raised where potentially they could be allayed. That is an important and mature way to approach this debate. I know that the Member will also want to approach the debate in that way.

During the past two years, between passing the Act and its coming into force, the Welsh Government and health authorities have engaged in that process of awareness raising and education to ensure that people in Wales are aware of the changes to the law and the new choices that they will have.

As I said, I would just like to touch on the finances. We know that the costs involved with the introduction of the new system in Wales, estimated to be £7.5 million, are being set aside to support a range of activities around the change there. I know that the Member has touched on this. We would have to have meaningful funding for awareness campaigns as well. The Welsh Health Minister has advised that all the evidence that is available suggests that if Wales were able to secure just two more kidney donations, the system would pay for itself, given the cost of kidney dialysis. While I would not want anybody to set aside their concerns and worries about some of the proposals, I think that there is weight in the Bill's proposers taking that money-saving aspect of it very much into consideration. If two people could be taken off dialysis, the cost savings would cover the cost of the law change. It is extremely significant. In fact, it seems almost incredible that such a small change in the number of donations could cover the cost of that legislation. In fairness, that did indeed grab the Committee's attention.

There is much to do from this point to ensure that the Bill is right. I repeat that I think that we should welcome the debate. Moving forward, let us interrogate the issues at Committee in a respectful and mature way so that the people of Northern Ireland know that when it comes to looking at saving people's lives, the Assembly has arrived at the most mature point that it can in a positive way, with full public awareness and the right resources being directed towards these new proposals, and so that the people of Northern Ireland know that we have done it for their benefit and for the very vulnerable people who, as I said at the outset, are still waiting on that phone call. Let us see whether we can arrive at a point where more phone calls can be made and more lives can be saved.

**Mr Speaker:** Not to curtail or discourage your contribution in any way, Mr McGimpsey, especially as you were a previous Minister in this brief, I will just indicate briefly that

Question Time is at 2.00 pm, and I may need to interrupt you to allow it to proceed.

**Mr McGimpsey:** Thank you, Mr Speaker. I rise to support the Bill's Second Stage and indeed to thank Mrs Dobson for bringing it forward. I know the huge amount of work that has gone on in the background to get it to this stage. The situation can of course simply be put by the fact that we are losing patients annually for want of appropriate organs for transplant. Organs are absolutely life-saving in situations. We often talk about kidney dialysis. We assume that patients with kidney failure go on dialysis and that although it is inconvenient and might be difficult for them, it offers them a way out. In fact, the process has a limit. There is a limiting factor in it. Without appropriate donation, it lasts only so long.

Without organ donation and kidney transplant, patients will perish. I know that from personal experience of a friend of mine whom we lost last summer; he had been on dialysis for about five years but perished after that for want of a kidney.

That is particularly difficult for individuals and families, but it is especially difficult for children. We have situations in Northern Ireland where we are losing wee ones with their entire lives ahead of them and who could have their lives back and could be saved for want of the appropriate donation. Again, I had experience of that when I was Health Minister. I have no doubt that the Health Minister, when he visits the Children's Hospital now, will meet children in exactly that situation. If they had the appropriate support, by which I mean organ donation, those children would get their lives back. When you are looking at wee ones of two, three and four years of age and think that they have a prognosis of only a year or two because of this situation, that is very difficult for families and for the doctors, nurses and staff dealing with that situation.

We have an opportunity here, through this process. The Bill is by no means done and dusted, and very important points were raised by Mr Easton and others that we need further information. We will want that information at Committee Stage to allow us to come to an informed decision. That is appropriate; that is what should happen with a Bill such as this. That is exactly what we should be doing, and I believe that that is exactly what the Committee will be doing. That is the appropriate way forward.

Issues have also been raised about consent and how it is freely given. We need to ensure that we have the views of donors, families and relatives. That is particularly important when talking about children, who do not have the capacity and who rely on their families. Those are all key issues. They are very difficult issues for the families concerned and for many adults in that situation. Those are things that we need to face. By facing them, we are saving lives, and that is what our health service is about and what we are about in the House. We must find a way forward that can provide life-saving interventions for patients who would not survive without them, and if we decide not to go forward with this legislation, that is, in effect, what we will be doing. We will be saying to a number of patients that we cannot help them, knowing that their prognosis will certainly be that they will come to harm.

I support the Bill and will continue to do so through its Committee Stage. There are important questions that have to be asked, and information is required. I believe that all



those questions can be answered satisfactorily to allow us to go forward. It will be ground-breaking for us in the Assembly, and for our health service, to take those steps. It will also be strongly welcomed by our doctors and nurses working in the health service, who will have an opportunity to provide that key, special intervention. We have a workforce that is, by and large, dedicated to providing the very best support that they possibly can for their patients. It is up to us to give them the support and resources to allow them to deliver that.

Mr Speaker, I got your warning at the beginning about time. I do not need a huge amount of time to deliberate this through. I think that the Committee Stage is an appropriate stage to take it to and at which to deal with a number of these issues. In principle, for the prize that we get out of this, for the gain that we will make, for the lives that we will save and for the lives that will be lost if we do not go forward with this piece of legislation, I am happy to stop there, Mr Speaker, for the moment as far as this Bill is concerned other than to indicate again that I fully support this proposal.

**Mr Speaker:** Can I assume that you have completed your contribution?

**Mr McGimpsey:** Yes.

**Mr Speaker:** Thank you very much. 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 listed Member to speak is Mr Stewart Dickson.

*The debate stood suspended.*

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

2.00 pm

## Oral Answers to Questions

### Finance and Personnel

#### Budget: Expenditure Limits

1. **Mr McCarthy** asked the Minister of Finance and Personnel for an update on the process to agree a Budget that matches expected expenditure limits following the 2015 spending review. (AQO 9069/11-16)

**Mrs Foster (The Minister of Finance and Personnel):**

The UK spending review 2015 will determine the Executive's Budget allocation for the five years commencing 2016-17. The outcome of the spending review will be announced on 25 November 2015. I will bring a Budget to the Executive and the Assembly for consideration after that date.

**Mr McCarthy:** I thank the Minister for her response. Given the very tight timings between now and the start of the next financial year, how can she ensure that a strategic approach will be adopted that reflects emerging priorities such as investing in skills and, indeed, growing our economy?

**Mrs Foster:** I thank the Member for his question. He has put his finger on the problem that faces us in this spending review. Ordinarily, we would issue and consult on a draft Budget, and that would give us time to listen to all the stakeholders and, indeed, all the Members here about how to address strategic priorities. However, given the lateness of the spending review, on 25 November, we are having to look at different ways of engaging with stakeholders. We cannot go through the process that we normally go through for the draft Budget and confirming the Budget, so I am considering alternative ways of seeking the views of stakeholders to make sure that we hear from all the voices about what the priorities should be.

As for whether it should be a one-year Budget or a multi-year Budget, obviously, I am of the opinion that it should be a one-year Budget because we will be entering a new mandate after May next year, and it would not be right to set budgetary priorities without allowing the new Executive to set those in the new Programme for Government. Of course, it is a matter for the Executive as a whole, but it is my opinion that we should just set a one-year Budget.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. I thank the Minister for her answers up to now. If she is not to hold a formal consultation on her draft Budget, how will she engage with stakeholders?

**Mrs Foster:** That is what we are considering at present. As I said, the preferable way would be to have the usual 12-week consultation on the draft Budget and allow people from all the different sectors affected to put forward what they believe is the right way to move ahead. However, we will have to be more targeted. Presumably, we will hold events to go out and engage with different sectors on what we think are the emerging priorities for the Budget. We simply do not have the time to engage in a draft Budget process, and I regret that.

Indeed, I regret the fact that we do not have clarity on where Westminster is going in the comprehensive spending review. There has been not much negotiation, or meetings, on how the devolved institutions will be treated in the comprehensive spending review. We have heard a lot about how some Departments at Westminster are facing cuts of up to 30%, which is an incredible amount of savings. Unfortunately, we have not had much engagement with the Treasury or, indeed, the Chief Secretary to the Treasury on how this will impact the devolved Administrations. That is a frustration that is shared by not only my Welsh colleague but my Scottish colleague, and we have raised it directly in correspondence.

**Mr Lyons:** Can the Minister give the House her assessment of the Budget envelope for the next five years?

**Mrs Foster:** Of course, we will not know what the Budget envelope will be until it is announced by the Chancellor on 25 November. Whilst we do not have the exact Budget envelope, the economic and fiscal outlook, as published by the Office for Budget Responsibility in July indicates that, once again, we in Northern Ireland will be largely protected from the worst of the cuts that will come to UK public expenditure. However, we will continue to see a real-term reduction until around 2020-21. That is when the Office for Budget Responsibility thinks that things will start to move in the opposite direction, but, as I said, we will have more clarity on 25 November when we will be able to look at how we are going to be directly impacted.

**Ms Boyle:** What revenue-raising measures are the Executive considering, if any, ahead of a new Programme for Government? Go raibh maith agat.

**Mrs Foster:** Hopefully, once we have completed the current talks process — I use the term “current”, but, hopefully, it is the last talks process — in relation to the difficulties that we currently face, we will turn to looking at the Programme for Government for the next Administration and what the outcomes should be around all that. Indeed, revenue raising will be looked at, but it is a very controversial area, and many in this House share with me the view that some of the revenue-raising options that have been suggested by others are simply not something that we would engage in, such as water charging. This party has been very clear in relation to water charging. We believe that it would be a retrograde step, particularly for householders who have been through a very difficult time over the past couple of years. However, there is scope to look at other issues, and I think that we should look at other issues when we are thinking about the next Programme for Government.

**Mr Deputy Speaker (Mr Beggs):** I advise Members that questions 5 and 6 have been withdrawn.

## Financial Position 2015-16

2. **Mr Givan** asked the Minister of Finance and Personnel for an update on the financial position of the Northern Ireland Executive for the 2015-16 financial year. (AQO 9070/11-16)

7. **Mr Cree** asked the Minister of Finance and Personnel for an update on both the Executive's Budget position and financial plans for the remainder of 2015-16. (AQO 9075/11-16)

10. **Mr McKinney** asked the Minister of Finance and Personnel for an update on the Executive's 2015-16 budgetary position. (AQO 9078/11-16)

**Mrs Foster:** With your permission, Mr Deputy Speaker, I will answer questions 2, 7 and 10 together.

I have commissioned a November monitoring round, with a view to seeking Executive agreement on outstanding budgetary issues in this financial year. Departmental returns submitted as part of the process indicate that significant progress has been made in managing the significant pressures identified early in this financial year. I will update the Assembly in due course, once Executive agreement on the November monitoring round has been secured.

**Mr Givan:** The Minister will be aware that critical to the completion of this financial year is the implementation of the Stormont House Agreement. Can the Minister outline the financial impact to the Northern Ireland Executive's Budget if a deal is not reached?

**Mrs Foster:** I thank the Member for his question. He will know that the Budget for this year — 2015-16 — is predicated on the Stormont House Agreement being implemented. The financial consequences would be significant, if not dire, if the December 2014 Stormont House Agreement was not honoured. There is no realistic way in which we could live within the 2015-16 DEL control total if the Stormont House Agreement flexibilities in particular are not dealt with. The key financial pressures that would bite would be the need to pay a £100 million reserve claim for 2014-15 and the welfare reform costs, both of which would come out of our resource DEL. It is very important that we reach agreement in relation to Stormont House and that we do so as soon as possible.

**Mr Cree:** Further to question 7, can you advise how, with the difficult and very short time remaining, capital, including conventional and financial transactions, can be utilised before the end of March? Is there a serious risk of money being returned to the Treasury?

**Mrs Foster:** I am sorry; I did not catch the very last part of that about the Treasury.

**Mr Cree:** Will there be capital moneys returned to the Treasury at the end of March?

**Mrs Foster:** That is certainly not our plan in relation to the capital funding. As I said, in June monitoring, there was a significant pressure appearing. Very significant monitoring bids were made at that particular time. I took the decision to write to all Departments to say to them that they needed to stop all discretionary spend. I am very pleased to say that that had an impact and there is a greatly reduced monitoring round now in November, and we will be able to deal with that, hopefully, in the coming days when we will be able to make announcements.

As he knows, we are hoping to find a home for the financial transactions capital in the Northern Ireland investment fund so that we do not lose any financial transactions capital. We believe that we have a home for normal capital, if I can call it that, as well, so we do not foresee any capital being handed back to the Treasury.

## Voluntary Exit Scheme

3. **Mr Buchanan** asked the Minister of Finance and Personnel for an update on the number of people who have left the Civil Service under the voluntary exit scheme. (AQO 9071/11-16)

**Mrs Foster:** Eight hundred and sixty-six employees left the Civil Service on 30 September; a further 1,540 will leave between 30 November and 31 January. Those exits will deliver a pay bill saving in 2015-16 of £23.6 million and £69.1 million per annum thereafter. The compensation cost will be £68.4 million. Further offers will be made at the end of November for exits at the end of March.

**Mr Buchanan:** I thank the Minister for her response. Can she advise how staff are selected to leave?

**Mrs Foster:** Essentially, the selection criteria are being applied in order by Department grade, analogous grade and by discipline, where necessary, based on the numbers required by each Department to determine those who will exit under the scheme. The first criterion is the best value for money score, using the least cost, which is upfront compensation payment, and the maximum payback — the resultant wage savings in a one-year period. Where individuals are tied on that criterion, random selection is used thereafter. The decision on which staff are to leave has been devolved to departmental level because we felt that Departments were best placed to make the decisions on the staff that they need.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. Is the Minister confident that the scheme will not be subject to a legal challenge by the unions?

**Mrs Foster:** Yes, as much as one can be confident that it will not be challenged by the unions. We engaged, as you would expect, with our lawyers before the scheme was put in place, and, therefore, we very much believe that the legal basis is robust. However, that does not stop others thinking that they may want to challenge, but I believe that we will be able to defend against any challenge that is brought.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire as a freagraí. I thank the Minister for her answers. Can the Minister give an assurance that the reduction in personnel will not have a detrimental effect on front-line services, particularly given the experienced personnel who are leaving, or who are projected to leave, the service?

**Mrs Foster:** I made the point that we had devolved the decision to departmental level, and one reason that we did that was because the sheer scale of the exits and the speed with which they needed to happen meant that Departments had to be able to make sure that they would maintain appropriate service delivery. Therefore, we wanted to ensure that essential employees, for example, were exempted from the scheme and wanted to allow Departments to deploy quotas, if that was considered necessary. We did not allow employees to go all in one tranche.

As you know, it has been spread across the year, and they will be released over four tranches. As I say, employees are released on a departmental basis. Some Departments are allowing more to go than others, and constituents have been in touch with me about why the Department for Social Development is not allowing as many people to go as the Department for Employment and Learning. Those are departmental decisions that they believe they can stand over. It is a mixture of all those things, but it is about ensuring that Departments have resilience after the voluntary exit scheme has finished and to make sure that they can continue to deliver and maintain the public service that we expect from them.

**Mrs Overend:** It seems that certain grades of civil servants are not being allowed to leave at this time, and she has maybe touched on the reasoning for that. Can she confirm whether that is true and whether everyone who wants to leave will be allowed to leave at some stage?

**2.15 pm**

**Mrs Foster:** There may be grades that a Department feels are necessary to keep it functioning in the proper fashion, and some of those have been exempted from the scheme. Each Department determined the numbers by grade that it needed to release under the scheme to secure the pay bill savings. Corporate HR and my Department acted on those instructions.

Offers were made commensurate with the numbers to be released as determined by Departments rather than with reference to the total number of applicants within a business area or grade. Some staff may be disappointed that they are not being allowed to avail themselves of the voluntary exit scheme, but we have to be mindful that we have a Civil Service to run and maintain, and that the public expect to have a level of service from their Civil Service. Some will be disappointed, but that is tied in with the voluntary exit scheme.

**Mr Allister:** Is the Minister monitoring the impact of the exit scheme on the community background of the Civil Service composition? If so, has she any grounds for concern, and when will that be revealed to the public?

**Mrs Foster:** That information will be fed into human resources and go to the Civil Service board, which will report on that. I do not have figures at present, but I am sure that the Member will monitor that and ask me again, when I will be able to answer in more detail.

## Defamation Act 2013

4. **Ms Lo** asked the Minister of Finance and Personnel for an update on any plans she has to introduce legislation similar to the Defamation Act 2013. (AQO 9072/11-16)

**Mrs Foster:** The Northern Ireland Law Commission was asked to assess the law of defamation by reference to the 2013 Act. However, the commission ceased operations before it completed the review. I have asked Dr Andrew Scott, who was undertaking the review on behalf of the commission, to produce a final report, and that report will help to inform policy direction.

**Ms Lo:** I am pleased to hear about the review. I am sure the Minister is aware that the law in England and Wales has helped not only to ensure free speech but to deter reckless defamation claims. Are there any clauses in the Bill that the Minister particularly objects to?

**Mrs Foster:** No. I have no preconceptions about what should or should not be done. Dr Scott is taking an independent look at what the needs are in Northern Ireland. I was disappointed that he was not able to complete the review under the Law Commission. However, we have asked him to complete that work. Unfortunately, it will have to fit around his teaching commitments, but we hope that he will be able to deliver it in the new year. I took forward to receiving it, considering it and looking at his recommendations.

**Mr Nesbitt:** The Minister makes reference to Dr Scott and the commission, which, as she will be aware, undertook a consultation. Is she prepared to publish that consultation?

**Mrs Foster:** As I understand it, there were around 32 responses to that consultation. I do not think that we should pre-empt Dr Scott's independent review. Therefore, I will not be letting those consultation responses come out until Dr Scott has finished his review. He is a very thorough individual, and I look forward to the work. As I said, the review will have to fit around his teaching commitments at the London School of Economics. I hope that the final report will be complete and available in the first months of 2016.

**Mr A Maginness:** I thank the Minister for her interesting answer. When the work done by Dr Scott comes into being, will the Minister go out to further consultation, or what process will she follow on foot of the report?

**Mrs Foster:** First of all, the Committee will receive a copy of the independent report, so it will be free to comment on it. As Minister, I will have decisions to take on the foot of the report. We do not know what those will be until we receive it.

If there are changes to be made, we will move into policy development to consider how we make them. I do not think that it would be right to follow the Defamation Act 2013 slavishly. Obviously, it will inform what we do, but we need to wait on the report and decide how to move forward, because, of course, it depends on what is in the report.

## Rates: Food and Life Sciences Sector

8. **Mr Anderson** asked the Minister of Finance and Personnel how the review of business rates can help manufacturing companies in the food and life science sectors. (AQO 9076/11-16)

**Mrs Foster:** The review will re-examine all non-domestic rate reliefs and their continued relevance. Currently, manufacturing companies in a wide range of the sector benefit from 70% industrial derating if the premises are used primarily for factory purposes and involve the use of manual labour. That relief extends to the food sector. Life sciences companies may also be entitled to it if a production process is involved. However, research does not normally qualify for derating. The public consultation paper sets out the case for retaining that support, recognising the importance of Northern Ireland maintaining its competitive position for manufacturing.

**Mr Anderson:** I thank the Minister for that response. Will she update the House on how the Executive support the manufacturing sector through rate relief?

**Mrs Foster:** Early in the last mandate, we took a decision to keep industrial derating, and that helps a lot of our companies across Northern Ireland. Some 70% of their rates bill is given rate relief and, therefore, they pay 30% of what they would pay if they were in England, Wales or wherever. We believe that that is of great assistance to manufacturing companies across Northern Ireland, whatever manufacturing sub-sector they are in. As I said in the paper that has been put forward, we will not be changing that; we will keep it. Some people have suggested that this review will lead to the end of industrial derating. That is not the case, and I want to make that very clear today.

**Mr Ó Muilleoir:** I thank the Minister, especially for her commitment to keep industrial derating. Following the review and the public consultation, does she believe that we will be able to come up with solutions to tackle some of the real problems facing small businesses in our high streets and main streets? I think, in particular, of the number of empty stores and shops that pepper many of the main roads and streets in our towns and cities.

**Mrs Foster:** Absolutely. The Member took part in a debate that we had recently in relation to the impact of rates on small businesses in South Belfast. That was very worthwhile and useful because it allowed us to set out what is happening in relation to rate relief and the rating system in that constituency. As he knows, small business rate relief has had a very good impact for many businesses across Northern Ireland. Some say that it does not go far enough; some want us to change the system. The current small business rate relief system runs only to the end of this financial year and then we will have to decide whether to keep it in its current form or to engage and do something slightly different for town centres. That has been suggested to me. The Member will know that the Ulster University economic policy centre suggested that we should do something different, rather than continue with the small business rate relief scheme. I will take that decision in conjunction with colleagues in the Department for Social Development and the Department of Enterprise, Trade and Investment. I have already met with both Ministers to see whether there is something we can do that would have more of an impact. Certainly, moving into the future, we will continue to support small businesses. It is just how we do it, whether through rates or another system.

**Mr Kennedy:** I am grateful to the Minister for her previous answers, particularly the latest. Can she advise at this time whether all the existing rate relief schemes are likely to be extended to 2016-17?

**Mrs Foster:** No, I cannot say that. There would not be much point in us having a review if I were to stand up and say that everything that is there at the moment will continue to be there in 2016-17. It is important that we reiterate the situation in relation to manufacturing because of the difficult week that manufacturing has just been through with the number of job losses. That is not to take away from the fact that, while last week and, indeed, the week before were particularly bad weeks for manufacturing, manufacturing is actually on the up in Northern Ireland, based on the number of jobs that have come to, and been created in, Northern Ireland over the past year. However, I believe that, given other pressures, not least energy costs, it is right to keep derating for manufacturing businesses. As I have said, small business rate relief is something we are looking at. Whether it would be better to use the £20 million that was set aside for small business rate relief in a different way is a discussion that is ongoing.

## Construction Contracts: SMEs

9. **Ms Maeve McLaughlin** asked the Minister of Finance and Personnel to outline the work her Department has undertaken to ensure that small and medium-sized enterprises have a competitive chance of bidding for tendered construction contracts. (AQO 9077/11-16)

**Mrs Foster:** My Department introduced new public contracts regulations in February 2015. These are



intended to facilitate the participation of small and medium-sized businesses by, for example, limiting turnover requirements to twice the contract value. The Central Procurement Directorate (CPD) has also worked with the construction industry to simplify the pre-qualification process and reduce the effort needed to tender. SMEs are now winning around 85% of construction contracts. CPD has also published guidance to help SMEs benefit from subcontracting opportunities.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for her answer. Specifically on procurement and tendering, is the Minister minded to look at the Public Services (Social Value) Act 2012 in England?

**Mrs Foster:** Actually I held a procurement board meeting last week, and that was the subject of the discussion. I received a very helpful report from a group of people, including the Strategic Investment Board, who have been running social contract pilots. One of the queries was whether we go down the route of legislation or of guidance. That discussion has really just begun. I have asked for an Executive memorandum to go round colleagues asking what they feel is the best way forward on the issue. The procurement board is looking at this issue at present.

**Mrs McKevitt:** What has been done to remove prohibitive criteria that prevent companies winning tenders for the first time?

**Mrs Foster:** CPD has introduced a range of measures to increase opportunities for small and medium-sized companies, including those dipping their toes into the market for the first time. A single web-based procurement portal, eTendersNI, has been introduced. It shows all the public-sector procurement opportunities that are available and alerts firms to tender opportunities in which they may be interested. It also allows them to store their profile information for use when completing further tenders.

Breaking larger contracts into lots is a very important method of allowing small and medium-sized businesses to come forward on their own behalf. For a while it seemed that the only way that you could obtain a government contract was if you were part of a big partnership that went forward together. However, we are now breaking larger contracts into lots to allow SMEs to come forward on their own behalf.

As I said, we are making sure that the turnover requirements are only twice the contract value. Again, that was a big challenge for a lot of small and medium-sized businesses. Indeed, I came across it in my constituency. Setting proportionate minimum standards for experience and financial standing is also important. In the past, standards were, quite rightly, being asked for, but when we looked at them we did not think that they were proportionate to the size of the contract. We have tried to increase the opportunities for small and medium-sized businesses in a range of ways. It is something that I feel very strongly about and take a particular interest in, having come from the Department of Enterprise, Trade and Investment.

### Children's Bill: Pooled Budget

11. **Mr Agnew** asked the Minister of Finance and Personnel how the pooled budget provisions in the Children's Services Co-operation Bill 2015 will operate in practice. (AQO 9079/11-16)

**Mrs Foster:** The Children's Services Co-operation Bill 2015 states that the Department of Finance and Personnel may, by regulations, make provision for the procedures to be followed on the sharing of resources or pooling of funds. Such regulations will be used to ensure that the handling of shared resources or pooled funds complies with DFP public expenditure and financial management guidance. Accountability and governance issues will also be addressed. Subject to the Bill receiving Royal Assent, DFP will work with OFMDFM and other stakeholders to draft such regulations.

2.30 pm

**Mr Deputy Speaker (Mr Beggs):** Members, that ends the period for listed questions. We now move to 15 minutes of topical questions.

### Minimum Wage: Departmental Budgets

T1. **Ms McCorley** asked the Minister of Finance and Personnel to detail the implications of the new minimum wage for departmental budgets. (AQT 3121/11-16)

**Ms McCorley:** An dtig liom iarraidh ar an Aire cad iad na himpleachtaí do bhuiséad a Roinne mar gheall ar an tuarastal is ísle nua?

**Mrs Foster:** I am not sure that the new minimum wage will have a big impact on departmental budgets. When it comes in, the living wage will have an impact, particularly on the Department of Health and Social Services, because many of our care workers, for example, are paid in and around the minimum wage. When they move on to the living wage, that will obviously be more expensive for the Department, and that will have to be taken into account when we set its budget.

**Ms McCorley:** Go raibh maith agat. Gabhaim buíochas leis an Aire as a freagra.

I thank the Minister for her answer. What challenges will that pose for arm's-length bodies and community organisations? What can government do to support those groups?

**Mrs Foster:** We must be aware of the scale of the issue. I was recently contacted by some of the groups involved in the social care sector to say that it will have a big impact on them. I know from the tourism and hospitality sector that it will be a big challenge there as well. While we all welcome the fact that we are moving towards having a living-wage economy, we should be aware that there are challenges associated with it, particularly for the lower-paid sectors. Whilst bigger employers in the private sector will be able to absorb those costs, it will be a challenge for us in the public sector.

### Fisheries Conservancy Board: Pensions

T2. **Mr McKay** asked the Minister of Finance and Personnel to take up the case of Mr William Owens of Broughshane, who worked for the Fisheries Conservancy Board (FCB) during the '80s, given that, even though he has evidence of his membership of the FCB pension scheme dated 1987, he has been denied his pension payable to age 64, even though other members of the scheme received same; and will she help Mr Owens and other people in that position to get the four years' pension that they have been unjustly denied. (AQT 3122/11-16)

**Mrs Foster:** I thank the Member for his question. I am aware of the individual whom he has brought before the House this afternoon; indeed, my colleagues have written to me about the issue, and Mr Owens has written to me directly about it. It is being investigated by the Department. I know that he may be a bit frustrated about the time that it has taken to look into the matter, but the Department is looking at it.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. Many Members will be aware of Mr Owens's case; he has campaigned and canvassed for many years on the matter. Is the Minister willing to meet Mr Owens to move the matter on?

**Mrs Foster:** I am prepared to come back to you and, indeed, to the other Members who have written to me about the matter, once the Department has finished its investigations and we can see where it is at at present.

### Civil Service Recruitment: Community Balance

T3. **Mr Campbell** asked the Minister of Finance and Personnel to keep monitoring and under review the breakdown of community balance of people coming into the Civil Service, given that she will be aware that by far the majority of people recruited are at the administrative assistant (AA) and administrative officer (AO) grades. (AQT 3123/11-16)

**Mrs Foster:** Absolutely. I know that the matter concerns the Member greatly, and I will communicate with him on it once I have had a chance to look at the figures again for this year. We will certainly look at whether there is a need for intervention in some way in relation to the recruitment of AOs and AAs.

**Mr Campbell:** The Minister will be aware that, a considerable number of years ago, there was a concern because there were too few Protestant employees in the much larger section of the Civil Service than in any of the other sections. Hopefully, she will be able to keep that matter under review and, if required, adopt a policy that other public-sector bodies have had to adopt, which is intervention to ensure that there is equitable treatment across the communities.

**Mrs Foster:** Absolutely. I am aware that some arm's-length bodies have had to adopt that process, but, unfortunately, it has not had as much of an impact as I would have liked, because, in the circumstance that I am thinking of, that organisation was capped at 49 employees and, therefore, there was little room for movement on that matter. I take the Member's point and will certainly keep it under review.

### Empty Premises: Rates Review

T4. **Ms Boyle** asked the Minister of Finance and Personnel whether she has given any thought to how, under the rates review, we might bring in some changes that would help to bring more businesses into empty premises across our towns and cities. (AQT 3124/11-16)

**Mrs Foster:** The Member will be aware that we already have provision that, if someone moves into an empty shop, they are able to avail themselves of rates relief for a limited time. I accept that it is a limited time, but it helps when someone is starting up a new business. I know of

businesses in my constituency that have really appreciated that. The non-domestic review has only started. It runs, I think, until the middle of January, so I hope that Members and, indeed, stakeholders will come forward with new and innovative ideas, not just around rates relief but around all the other areas.

**Ms Boyle:** I thank the Minister for her answer. Minister, would you ever consider specifying certain areas — for example, a street in a town centre — where a special rates exemption would apply to empty stores?

**Mrs Foster:** Again, that is the kind of thing that we need to think about. I mentioned the small business rate relief scheme. Indeed, some town centre organisations believe that, instead of just having a generalised small business rate relief scheme, we should target it on the area in the town centre that, at present, is having difficulty, frankly, in filling spaces because of the level of rates that have been levied on the shops.

One area that has also been raised with me — it is a controversial area — is in the realm of charity shops. Since the review went out, I have already had a number of charities in contact with me, worried about the fact that they will not be able to avail themselves of rates relief. However, on the other hand, I have small businesses saying to me, "They are not paying any rates. I am next door, and I pay full rates". Those are the difficult decisions that we will have to grapple with, but we can and should look at doing things differently. We should not just be driven by what everybody else does. If there is a challenge in relation to town centres — frankly, some of our town centres are struggling — we should look at those and see if they can make a difference.

### Rate Relief for Sports Clubs

T6. **Mr Hilditch** asked the Minister of Finance and Personnel what progress has been made on rate relief for sports clubs since the private Member's Bill failed to pass. (AQT 3126/11-16)

**Mrs Foster:** The Bill that I intend to bring forward will contain an enabling power that will permit enhanced rate relief for sports clubs, subject to conditions. My current intention is to use the power to permit enhanced relief of 100% for community amateur sports clubs that do not have a permanent liquor licence. That deals with the issue of competition with hotels, pubs and clubs. It would align them with the rating treatment of community halls legislation rather than putting them into competition with pubs and clubs.

**Mr Hilditch:** I and some of my colleagues met the Northern Ireland Federation of Clubs, which expressed some disappointment at the lack of consultation on the previous process. Can the Minister ensure that the likes of those people will have the opportunity to fully engage in any new process?

**Mrs Foster:** Absolutely. I hope that they will understand that, because of the short time that we have available, it will be a targeted consultation rather than the full 12 weeks of consultation. I hope to go — indeed, I am going, God willing — to the Committee tomorrow morning to talk about my proposals. It will be a matter for the Committee whether it grants accelerated passage. If it grants accelerated passage, we can get the Bill through; if it decides against

it, it will probably be a matter for the next mandate. I will regret that, but it is a matter for the Committee.

**Mr Deputy Speaker (Mr Beggs):** Joe Byrne is not in his place.

## Fraud

T9. **Mr Givan** asked the Minister of Finance and Personnel, given that she will be aware of the case involving his constituent Amanda Jackson, who was subject to a £77,000 fraud, to outline to the public and to all the professional organisations involved in such transactions the need to be vigilant and the need to ensure that robust systems are in place to prevent such fraud in the future. (AQT 3129/11-16)

**Mrs Foster:** Yes, I am aware of your constituent's case. It was, of course, raised publicly, but I also know that you corresponded with me on the matter. I suppose that it really is a matter for my colleague the Enterprise Minister and about making sure that everything is in place in Trading Standards. I urge vigilance on the issue that was brought to my attention. There was an awful lot of money involved in that case, but, you know, small amounts of money in other cases mean a big lot to those individuals who have been defrauded. We should be alert and aware of the dangers online.

**Mr Givan:** I thank the Minister for that response and for undertaking in her written correspondence to write on the issue to the Law Society, owing to its oversight of the legal profession. Of particular concern is that, for electronic transfers, Barclays, with which I and the Member of Parliament have corresponded, does not check the name of accounts. That is prevalent across all electronic transactions. Is that something that the Minister could undertake to correspond on with the banking institutions? Danske Bank was the organisation that allowed the money to go out, and Barclays allowed the money to be received into what was ultimately a fraudulent account that was set up in its organisation.

**Mrs Foster:** I am more than happy to do that if the Member wishes to give me the fuller details of that side of it. I undertook to write to the Law Society as that end of it caused me a great deal of concern. As he knows, we do not have any control over the banking systems in Northern Ireland. That falls to the Westminster Government. I am more than happy, however, to correspond with those banks about the incident.

Thousands if not millions of people transact their banking online every day. We should not forget that that is the way in which people chose to do their business nowadays, and 99% of it is carried out in a very safe manner. If there are instances in which there are difficulties — clearly, this is a case in which something went fundamentally wrong — we should raise it and make sure that it does not happen again.

## Health Service Investment

T10. **Mr McCarthy** asked the Minister of Finance and Personnel whether she is willing and able to invest further in the health service to enable patients to be seen in a more reasonable time, bearing in mind that a request went to her Department during the June monitoring

round for £45 million and the fact that she will be aware of the dire position with the ever-growing waiting lists. (AQT 3130/11-16)

**Mrs Foster:** In the 2015-16 Budget, I and my Executive colleagues demonstrated our commitment to improving health and social care by protecting front-line health and social care from budgetary reductions. Further to that, some £200 million of additional funding was provided to the Department for front-line health and social care. I am glad that my colleague is here to hear about all that great funding that has been provided to him by the Department of Finance.

Unfortunately, the deterioration in waiting times is due to a number of factors that are placing increasing pressures on our health service. Those include demographic changes, which I have talked about in the House before, an ageing population and increasing demand for healthcare interventions. However, all of that has been made worse by the fact that we have been incurring welfare fines that otherwise could have gone to the Department of Health. I make no apology for saying that. I hope that we are able to find a solution to the difficulties that we have found ourselves in over welfare so that money can be allocated to the Department of Health to deal with those issues.

**Mr McCarthy:** I thank the Minister for her response. She will remember that a former Finance Minister criticised a former Health Minister for not providing value for money. Can the present Finance Minister assure the Assembly that the present Health Minister will deliver a better service for all our people, particularly on the waiting lists that we have just been talking about?

**Mr Hamilton:** "I have every confidence in him."

**Mrs Foster:** He is saying that I have every confidence. [Laughter.] I do have every confidence in my colleague the Minister of Health on the issue. The key to all of this is to make sure that, after the talks have finished — we hope that they will finish very soon and that we will have an agreement in place — we can move to a sustainable budgetary position, where we can allocate the appropriate amount of money to the Department of Health and are able to deal with those waiting lists, which have accumulated and are unacceptable. I think that we all accept that, but we are where we are. Now, we have to deal with the issue, and I look forward to being able to make a statement in relation to November monitoring in the next number of days.

2.45 pm

**Mr Deputy Speaker (Mr Beggs):** That is the end of the period for questions to the Minister of Finance and Personnel.

## Health, Social Services and Public Safety

### Health Service Reforms

1. **Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to outline his plans for reforming the health service. (AQO 9084/11-16)

5. **Mr Weir** asked the Minister of Health, Social Services and Public Safety when the recently announced panel to examine the configuration of health and social care services will be appointed. (AQO 9088/11-16)

15. **Mr McQuillan** asked the Minister of Health, Social Services and Public Safety how much will be saved through the abolition of the Health and Social Care Board. (AQO 9098/11-16)

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** With your permission, Mr Deputy Speaker, I would like to answer questions 1, 5 and 15 together.

It has been clear for a number of years that our health and social care services in Northern Ireland are facing the significant challenges of rising demand, rising expectations and tightening finances. We cannot hope to respond to those challenges unless we are focused on ensuring the highest quality and safety of care, configure our services correctly and have an appropriate administrative structure.

There are simply too many layers of administration in our system, which are making it difficult to meet those challenges to drive change and weakening accountability. I want to drastically delay the system to remove complexity and bring about greater accountability and better responsiveness. I want our trusts to be responsible for the planning of care in their areas and to have the operational independence to deliver it. I want to see my Department take firmer strategic control of the health and social care system. I have therefore announced that we will close the Health and Social Care Board, as I believe that we no longer need a stand-alone organisation. I intend to retain a Public Health Agency, with a renewed focus on early intervention and prevention, which will work more closely alongside the Department in that essential work. I have also announced a panel to lead a debate on the best configuration of health and social care services in Northern Ireland.

It is important that this is a clinically led debate with clinical evidence for any proposed changes to services and evidence about the implications of failing to make changes. I envisage a panel comprising around half a dozen experts drawn from across the sphere of health and social care. I hope to be able to announce the membership of the panel shortly and that it will begin its work before Christmas. One of its first tasks will be to convene a summit involving political parties to gather ideas, suggest solutions and, I hope, collectively reach agreement on a shared vision for the future of health and social care in Northern Ireland.

As I have said before, these changes are about moving towards a more streamlined and accountable structure so that we can make the most of the talent of our staff, encourage innovation and create a more efficient system. Although there may be some savings, my focus is on getting the structures right. All health and social care bodies are subject to challenging efficiency savings and, until detailed work is completed —

**Mr Deputy Speaker (Mr Beggs):** Does the Minister need extra time?

**Mr Hamilton:** Yes. Sorry, Mr Deputy Speaker, I thought that that was requested beforehand, but I appreciate that. Thank you.

All health and social care bodies are subject to challenging efficiency savings and, until detailed work has been completed, it is not possible to identify whether any additional savings can be delivered. I hope that all political parties will embrace the opportunity for change and work

positively to create a world-class health and social care system in Northern Ireland.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for that detail. I have been very welcoming of the reform agenda that he is taking forward. The board's figures on waiting times for elective care were published for the period from April to August. The figures showed that all trusts were failing to reach their targets and that one trust was actually 17% behind target. Specifically, how will this reform proposal tackle that very direct need?

**Mr Hamilton:** I, again, welcome her welcome of the proposals that I put forward nearly a fortnight ago. I particularly welcome that because I think that the Chair has taken the proposals that I put forward in the proper spirit, recognising the fact that there is an additional layer of bureaucracy in our system that is getting in the way of front-line delivery, which is what she focused on. In the past, that has also proved a barrier to innovation across our health and social care system. I think that she and I are as one in wanting to see that bureaucracy removed from our system.

The Finance Minister was just in her place, outlining the difficulties that we have this year with finances. Pressures are increasing, driving up demand and our waiting lists, but we have also had the situation of losing money through welfare reform penalties. I, like her, do not wish to dwell on that. I hope that, in other parts of this Building and this estate, we will be able to reach a swift conclusion to the issues around our Budget and welfare reform that have been bedevilling us.

That will then result in a resolution of welfare reform, which will result in more money for waiting lists, and that is what I have been lobbying my colleague the Finance Minister for. In the short and the long term, we need an injection of resources to tackle waiting lists. That is what I am seeking, that is what I want, and that is what I hope will happen. In and of themselves, those changes will not address that, other than the fact that they will make the £4.7 billion health and social care system in Northern Ireland work more efficiently. By taking out the layer of bureaucracy that she and I have focused on, we can make that system — which has not been working to the full and to the optimum over the last number of years since its inception in 2009 — work more efficiently and get more resources into the front line. I want to see any savings that are realised going back into the front line to help patients and people across Northern Ireland.

**Mr Weir:** In order to make the necessary changes, the Minister has always referred to the need for a transformation fund. Will he advise us whether he envisages that extra income-generation measures will also be required?

**Mr Hamilton:** We need to be clear that in wanting to transform our health and social care system we need more resources. That might seem almost counter-intuitive to wanting to get the most efficient use out of the resources that we have. Understanding the pressures we face across our entire budget, we need to see more money going into health and social care in order to get a more efficient system. In the short term, in order to make the changes that might come forward as a result of the recommendations from any panel a reality, we need a



boost and an injection of cash over the next number of years.

If we want to do some of the innovative things that many of our trusts are doing, then we need to have money to do it, which is not money that is coming away from the front line. That has been the challenge in the past. We have had to fund innovation, and money has had to come from the front line, and that is never an easy thing to do.

In and of themselves, the reforms do not depend on more income generation. The reintroduction of prescription charges might have been a way of getting more money into the system in the short term. I am aware that a campaign has been running recently that is opposed to the reintroduction of prescription charges or, perhaps more accurately, wants to exempt certain people from prescription charges. My view is that, if we were to reintroduce prescription charges, it should be for everyone, or we should stick with no one and have no exemptions. Unfortunately, there has been a misunderstanding with the campaign; the proposal that was made in a recent consultation was for a small charge of around 50p or £1 up to a maximum of about £20 or £25 a year. Given the lack of political consensus, I do not think that there will be any reintroduction of prescription charges in my time as Minister, but there will be consequences. Not having the income from prescription charges is not without consequences in terms of paying for some of the very expensive new drugs and treatments that are out there. Some people may see some success in not having prescription charges reintroduced, but there will be consequences, sometimes even for those —

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

**Mr Hamilton:** — who are very sick and rely on new drugs.

**Mr McQuillan:** Minister, what impact, if any, will abolishing the board have on front-line services?

**Mr Hamilton:** There will be an impact on creating a more efficient system, which is what I want to see, and that is where the impact of the reforms that I have put forward will be most targeted on. I do not want to dwell on staffing issues, because, as I said during my statement in Ballymena a couple of weeks ago, we have some tremendous staff in our system who are working exceptionally well and doing some exceptional things, but we are not getting the best out of their talents because of the system that they operate in — that very bureaucratic system that we have.

Some have wanted to focus on the issue of staff, saying that it was an easy decision to get rid of the board because its numbers had become big. Yes, the numbers have risen. It started pretty high; under the tenure of Mr McGimpsey when he was Health Minister, it started with around 390 full-time equivalents in the board, and it has grown to 600. It was always quite a big beast no matter what his intentions were for it.

Over the same period — since 2010 — the number of staff in the Department of Health, Social Services and Public Safety has dropped dramatically. In March 2010, the number of full-time equivalents in the Department was 670. In November 2015 — the most up-to-date figure we have — the number of staff within the Department is 466. So there has been a one-third reduction in the number of

staff in the Department over the last four years, and that number is set to go down further.

The voluntary exit scheme, which my colleague the Finance Minister referenced earlier, will see 43 full-time equivalent posts removed from the Department by the end of 2015-16, which will make £0.5 million of savings in-year and £1.5 million recurring savings thereafter. So, on the issue of the board's staffing levels, yes, it has grown in size, but a reduction in the number of staff in the Department has occurred over the same period.

**Mr McKinney:** The Transforming Your Care (TYC) plan had consensus but not enough money. He is seeking further consensus and is pointing to the potential for money, but there is no guarantee that he can get it. Is that not a fatal flaw in his plan?

**Mr Hamilton:** No, and we should not be looking for fatal flaws in the plan. We should be seeking to build political consensus.

Sorry, I have not had the chance to formally congratulate the Member — I did so very informally earlier — on his victory at the weekend. I will not say too much, given who is sitting directly behind him. I congratulate him and I also congratulate Mr Eastwood, which makes me sound like a famous boxer thanking Mr Eastwood in the past. Taking over the reins of the SDLP so close to an election is like taking over managerial office at a Premier League club that is sitting at the bottom of the table with only about 10 matches to go. I am sure the Member and his party colleagues hope that he is more Tony Pulis than Felix Magath, but time will tell. I wish him well.

We should be looking for a political consensus, because the prize from that is the crafting, building and putting in place of that world-class health and social care system. We know what we can have in Northern Ireland, and Sir Liam Donaldson pointed to that in his report, and we all want to see that happen. Yes, it absolutely does depend on resources. I do not want to labour the points that I made to Mr Weir, but it absolutely requires resources to make that transformation. That will require some difficult decisions by me and the Executive, but I hope that, given the extent of the prize and the size of the challenges that are facing our health and social care system, we can all unite as one to lobby for those additional resources so that we can put in place a transformation fund that will make the vision of a world-class health and social care system a reality. I look to the Member as much as I look to any other Member for support in trying to realise that goal.

**Mr McGimpsey:** The changes that you propose are contained in Liam Donaldson's proposals. At the Committee and in previous utterances you estimated that it would take 18 months to deliver this change. I saw Liam Donaldson in the press over the weekend saying that that is far too long a time and that you must shorten it. Have you reconsidered your time frame?

**Mr Hamilton:** I welcomed what Sir Liam Donaldson said when I made my speech, and I welcome the comments that he made last week. He welcomed my decision to get rid of the board, and he did make the points about the timescale. It is significant that he said we absolutely should be getting rid of the additional layer of bureaucracy in our health and social care system that was created, as the Member knows very well, back in 2009, so I welcome what Sir Liam said in respect of that.

I made the point about the implementation of possible recommendations that might flow from the work of a panel, namely that they may take between five years and 10 years to be implemented in full. I used the 18-month figure for practical considerations: it will be the time within which to pass and implement the legislation that will be required to do away with the board. In between, officials have been tasked with scoping out what steps can be taken without the need for legislation to be passed and start to implement them as quickly as possible. That is so that we can have the effect of the reforms that I have proposed, which are about taking out bureaucracy and focusing and encouraging innovation. We can have all of that without needing to pass legislation. Where we need to pass legislation, we will do so. Being realistic about the timescale so close to an election and the dissolution of the Assembly, I do not believe that legislation will be able to be passed by the end of March.

Realistically, it will have to be introduced very quickly after the next election and implemented at the beginning of the next financial year. The 18 months is a practical point. I would like to see it happen more quickly; I wish that I could click my fingers and make it happen overnight, but, unfortunately, it cannot.

3.00 pm

## Autism Act 2011: Implementation

2. **Mr D Bradley** asked the Minister of Health, Social Services and Public Safety for an update on the implementation of the Autism Act (Northern Ireland) 2011. (AQO 9085/11-16)

**Mr Hamilton:** The Autism Act (NI) 2011 required my Department to lead on the development and implementation of a cross-departmental autism strategy. Every Department has signed up to the strategy, and it is an important commitment for the Executive. Although a report is not due until January 2017, given the focus on the issue, I have decided to provide Members with a detailed report on progress against the autism action plan. I have therefore issued a written statement to Members advising that a progress report on the cross-departmental autism strategy 2013–2020 and action plan 2013–16 has been placed in the Assembly Library and has been published.

Many aspects of the strategy are progressing well, with better access to services for people with autism and their families and carers; the appointment of a regional ASD coordinator; and training for front-line staff, education professionals, youth workers, parents and carers. There is also better awareness of support services through signposting by HSC trusts as part of their triaging process. However, it is undoubtedly the case that the unprecedented increase in referrals has created a major challenge for the system. Over the past six years, referrals of children and young people for assessment have nearly doubled from around 1,500 to 2,936 per year. That has inevitably resulted in longer waiting times for the first assessment and ultimate diagnosis. Therefore, while I am pleased with the progress made to date, there is no room for complacency. I will continue to work with the board and the trusts to tackle the current difficulties and to improve access to services.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Considering the importance of early diagnosis and intervention for people who have autism, does the Minister, since he is so fond of footballing metaphors, not see that he is in the bottom league regarding autism, given the fact that 1,400 people await diagnosis?

**Mr Hamilton:** I do not come to the House to give those figures or statistics with any sense of pride: far from it. The Act has helped, along with many charities working in the field, to raise awareness of autism. It is a positive thing that that has happened. It has created a significant increase in demand: a doubling of the number of referrals. As I said in my original answer, there has been an increase from 1,500 to nearly 3,000 this year. Obviously, that puts an understandable pressure and strain on the resources that I have at my disposal.

I accept the point about early diagnosis. Just because an ultimate diagnosis has not happened, that does not mean that there are not supports or interventions — quite the opposite. There are interventions that take place prior to ultimate diagnosis. There is much work from community paediatrics, speech and language therapy, occupational therapy, social services and educational psychology as appropriate as an intervention, even in advance of diagnosis. We are working hard to reduce the impact of the long waits by looking and reviewing autism assessment processes, which is quite a long and extensive process. We are looking at what we can do to streamline that as much as possible while still having a high quality of diagnosis. We are also looking at standardising autism service models across all trusts and extending service capacity through the greater integration and alignment of autism services with other child development and young people's mental health services. It is not that we have sat back and done nothing; it is not even as if, before diagnosis, nothing happens with interventions. More could be done, but to deliver more we need more resources. The Member knows full well the pressure on resources in the Department. I hope that he will also appreciate and understand that the £9.5 million a month being lost through welfare reform penalties because of the failure of his party and others to live up to their commitments on welfare reform is costing —

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

**Mr Hamilton:** The Member rolls his eyes, but it is a serious issue. We cannot afford to lose that amount of money that could be going to the front line.

**Mr Deputy Speaker (Mr Beggs):** I ask Members to check that their mobile devices are off and not causing interference.

**Mr Middleton:** I thank the Minister for his answer so far. Will the Minister outline how the numbers of assessments provided and the numbers of diagnoses of autism made have changed in recent years?

**Mr Hamilton:** The Bill became an Act in 2011. Since just before that, as I mentioned to Mr Bradley, the number of referrals of children and young people for assessment has nearly doubled from around 1,500 to close to 3,000 this year, but resources have not increased at a commensurate rate. We need to invest more. I accept the point that Members have made: we absolutely need to invest more in getting staff into the front line. We estimate that around 20 to 23 whole-time equivalent clinical staff are required.

The cost of doing that would be around £1 million of additional expenditure, so, when Members opposite roll their eyes about raising issues around welfare reform and the loss of £9.5 million every month, they should consider that £1 million out of that £9.5 million that is lost in one month would cover the increased costs. People take their positions on opposing welfare reform, but I hope that we can resolve those issues over the next number of days. That will, I hope, free up more resources to go into the front line to deal with waiting lists and other problems. There are consequences of taking the ideological position that some have taken in respect of welfare reform and not living up to the commitments that they made last year: we can see that in autism services, in waiting lists and elsewhere.

**Mr McCarthy:** The Minister will be aware of the old saying "prevention is better than cure". The figures that the Minister has given us for youngsters being diagnosed with autism, which we know to be fact, are absolutely staggering. Will the Minister advise the House whether proper investment is going to scientists and universities etc to try to establish the cause? The numbers are staggering, and it is going from bad to worse as the years go on.

**Mr Hamilton:** I do not have the expertise to delve into why there has been a doubling in a very short period. It is a six-year period; it is not a lengthy period. It is a very, very short period, during which we have had a doubling in referrals. Perhaps, the fact that there is increased awareness of the existence of autism is one of the contributing factors; I think that that is fair to say. I am free enough to say that there is, obviously, support and work going on in research. The extent to which my Department contributes to, funds or supports that, I cannot say, but I am happy to write to the Member and inform him of what support we are involved in. I know that we will be supporting in various ways through trusts, the PHA and others and in helping autism charities across Northern Ireland. He and I will know of some that operate in our constituency. I am sure that that is replicated around Northern Ireland. I am sure that support is going to those from the health and social care sector, but I will inform the Member of the extent to which that is happening.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister ensure that all the partners in the autism plan will commit to playing their role in addressing autism?

**Mr Hamilton:** As I said in my original response, all Departments have bought into the strategy and action plan. I know that officials from my Department have been working closely with officials from the Department of Education because of the direct read-across of children and young people who are at school and the impact on their education. I know that work is going on at a practical level, as well as agreement on the strategy and action plan. Following the passage of the Act in 2011, good cross-departmental work has been going on in respect of autism.

## Lifeline

3. **Ms McGahan** asked the Minister of Health, Social Services and Public Safety to outline any discussions he has with Contact NI and Lifeline staff regarding the proposed changes to the Lifeline service.  
(AQO 9086/11-16)

**Mr Hamilton:** I have not held any discussions with the current provider of the service. The Public Health Agency commissions Lifeline and is undertaking the consultation process on the new service model. The agency participated in a Contact NI staff workshop on 10 October to outline the proposals and offered to attend a second workshop, which was subsequently cancelled by Contact NI. Contact NI staff have attended a number of the public consultation workshops organised by the Public Health Agency and have expressed their views at those events.

The proposed model retains the core elements of the existing service, namely the free-to-call crisis telephone helpline, which will be accessible 24 hours a day; qualified helpline operatives who are skilled in talking to people in crisis and have professional skills in listening and in assessing suicide risk; the ability to direct callers to the most appropriate service for their needs; and, finally, follow-on support from locally based suicide prevention organisations, enhanced with complementary therapies and local face-to-face immediate support.

For callers at high risk, helpline staff would directly arrange further care through to emergency mental health services.

By splitting the management of immediate helpline support from follow-up support, the proposals avoid a potential perverse incentive, whereby the helpline provider would potentially gain financially from referring a client to follow-up support that it also delivers. That does not imply in any way that Contact NI has sought financial gain in that manner.

**Ms McGahan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his response. Will he give serious consideration to an extension to the Lifeline contract to allow for further consultation on the future of its services?

**Mr Hamilton:** There have actually been three offers made of an extension to the existing contract. Two offers were turned down. As the Member may know, the contract expires on 31 December. I am glad to say that the third offer of a contract extension, until the end of September 2016, has been agreed. Obviously, that allows for continuity of service while we move to a new model of service delivery.

**Mr Lyons:** Further to the Minister's answer, can he confirm that a Lifeline service will continue and that this is about the way in which it is delivered and the organisations that deliver it?

**Mr Hamilton:** Yes, I can. Again, the nature of the campaign and the way in which it was styled was about protecting Lifeline. I want to make it absolutely clear — I have done so previously in the House and will do so again now — that the Lifeline service and brand will remain. As the Member said in his question, this is entirely about getting the best possible service moving forward, getting it better integrated with other emergency services right across the system and extending it out much more into the whole of Northern Ireland, particularly rural areas. As I mentioned, there is an important governance point about the possible perverse incentive that exists. On a governance basis, I do not think that that can be allowed to continue to be the case. The PHA is right to consider that. Let no one be under any illusion here: this is not about doing away with a Lifeline service. This is about how that service might operate and who might operate it. It is not

about doing away with Lifeline and the important work that needs to be done to provide that service for people who are contemplating suicide.

**Mrs Overend:** Does the Minister accept that the Lifeline service plays a truly invaluable role in every corner of Northern Ireland and that allegations or insinuations of its being a Belfast-centric service are truly inaccurate?

**Mr Hamilton:** Given that the Member represents a rural constituency, I would think that the issue of rurality is something that she is concerned about and interested in. Allegations have certainly been put to me about whether it serves the whole of Northern Ireland as well as it perhaps does some bits of it. If it is a criticism that has been put to me, I think that that is well worth examining, because, as the Member will know, there are sometimes, particularly in rural communities, hidden mental health problems. There can be suicides. In my constituency, I know of members of the farming community taking their own life. We should seek to do the best that we can to ensure that services such as Lifeline are spread right across Northern Ireland. That is certainly what I want to see as an outcome of the process. It is certainly something that I will be carefully keeping an eye on as any final recommendation comes to me to sign off on as Minister. Again, this is about getting the best possible service for people in Northern Ireland. It is about protecting what is best and also improving the service that can be delivered.

## Waiting Lists

4. **Mr Poots** asked the Minister of Health, Social Services and Public Safety to outline the plans that he has to address the pressures on waiting lists. (AQO 9087/11-16)

**Mr Hamilton:** I have indicated consistently over the past weeks and months that immediate pressures surrounding waiting lists and our emergency departments can be resolved only with the injection of funding as quickly as possible.

The Health and Social Care Board and trusts are already putting in place plans should additional funding become available, and that will, of course, be focused on patients with the greatest clinical need. However, even with additional funding, there are limits to what the system can deliver before the end of the year.

For the longer term, I have asked the board to examine how we can deal with demand and stabilise waiting times to put them on a more sustainable footing over the next few years. That elective care work will set out what areas need to be stabilised, how and when that can be achieved, and what it will cost to get performance back to the nine, nine and 13-week positions that the health service previously achieved. I expect to receive the conclusions of that work soon.

## 3.15 pm

Of course, it is a great frustration to me that we have wasted close to £200 million of taxpayers' money during the last three years in penalties because of the continued failure to implement welfare reform. That has affected thousands of vulnerable people who have not been able to obtain the operations that they desperately need. Every month, we are losing £9.5 million, which could pay for over 1,800 hip operations or 2,100 knee operations.

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

## Daisy Hill Hospital: Emergency Department

T1. **Ms Fearon** asked the Minister of Health, Social Services and Public Safety to do all in his power to protect the Daisy Hill Hospital emergency department (ED), given that she cannot underestimate the importance of a fully functioning, 24/7 ED, particularly for rural communities such as hers. (AQT 3131/11-16)

**Mr Hamilton:** I am aware of the issue that the Member raises. I have spoken to her colleague Mr Murphy about this. I have no desire to see emergency services reduced at Daisy Hill Hospital but, as the Member will appreciate, my priority will always be to try to ensure the highest possible levels of quality and safety in our health and social care services.

I know, and the Member will appreciate, that there have been issues around recruitment and retention in the emergency department at Daisy Hill Hospital. The trust has undertaken work to alleviate that, but the hospital has been dealt a further blow by the decision of a member of staff to leave early next year. I know that Members who represent that area, or the area that is covered by Daisy Hill Hospital, were informed of that last week.

The letter that went to Members of this House and, perhaps, MPs as well, was right to point out that, in raising this issue, we are right to be concerned. The letter said:

*"While we appreciate the concerns of the local community, we would worry that further speculation over the future of the emergency department will significantly hinder our ability to attract medical staff to help the situation."*

The Member appreciates that point and she is right to raise it today, but it is unfortunate that others ran to the press within 24 hours, creating additional problems and doing exactly what they were advised not to do. If we are to resolve the issue around recruiting and retaining staff at Daisy Hill Hospital, which I want to do, as does the Member and, I am sure, everybody who represents the area and lives there, it is not helped by scaremongering by some in the press. We should all be trying to collectively work together to address the issues and work with the trust, the board and others to alleviate the problems.

**Ms Fearon:** Go raibh maith agat. I thank the Minister for his answer. This is especially important, given the completely inadequate Ambulance Service cover that there has been in south Armagh. Recently, the south Armagh first responders were set up as a community innovation to tackle the problem, but the Health Minister needs to bring his own innovation to recruitment, and new and fresh —

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

**Ms Fearon:** I am getting there. To date, his predecessors have failed to tackle the recruitment problem that has been bubbling up in the health service.

**Mr Hamilton:** It predates my time — both my immediate predecessors are in the House — but work was done to address the overall problems that emergency departments are having with recruitment. It is a very difficult area to



work in. We all appreciate and understand that, and it can be challenging to recruit sufficient numbers.

I met representatives of the Royal College of Emergency Medicine last week to discuss not specifically the issue at Daisy Hill Hospital but a range of issues. They welcomed the efforts that had been put in over the last number of years to attract more staff to emergency medicine. They did not, by any means, conclude that we were out of the woods or that we had solved all the problems. There were still issues, but I am sure that they would agree that the most important thing is to serve all our people, wherever they are, whether in Newry or Newtownards, and that they have the highest standard of care and safety of care. I would be irresponsible in my job and would be going against my duty if staff were coming to me and saying that there were issues with patient safety and I did not act on that.

There are issues and challenges at Daisy Hill Hospital, and I am aware of them. I look to the trusts to work at resolving those issues and I am happy to make my own suggestions if I have them. Indeed, I am prepared to listen to others who come forward with suggestions. If the Member or anybody in the House has ideas or suggestions about how we might resolve the issues at Daisy Hill Hospital, I am happy to listen to them.

### Donaldson Report: Recommendations

**T2. Mr I McCrea** asked the Minister of Health, Social Services and Public Safety whether he has had any discussions with Sir Liam Donaldson about the recommendations in his report. (AQT 3132/11-16)

**Mr Hamilton:** I met Sir Liam Donaldson at a conference that he was in Belfast to speak at last Thursday. It was organised by the Faculty of Medical Leadership and Management. He spoke in the morning and I spoke in the afternoon, and I had an opportunity in between to have a brief conversation with him. I began by welcoming his positive response to the reforms that I put forward in my speech in Ballymena almost a fortnight ago.

Obviously, he gave some comment to the media as well, about which I responded to Mr McGimpsey. I think that Sir Liam has been incredibly positive in his response. The report he produced was very useful, and, whilst I do not think that all of us will have agreed 100% with everything he suggested in it, I welcome the fact that he has acknowledged that the spirit of what he was putting forward has been agreed and taken forward in the proposals that I made. I have had a useful conversation with him, and I have welcomed the comments he made. I am sure that, given the work he has done here and the interest he has, he will continue to take a keen interest in Northern Ireland, particularly in how we roll out the reforms that I have put forward.

**Mr I McCrea:** Given the reforms that the Minister has put forward, many of which will no doubt bring financial benefits to the health service, can he outline how he sees the speed of this process and how we can get and feel some real change as quickly as possible?

**Mr Hamilton:** I know that urgent change is required in our health and social care system because of the extent of the looming challenges that we face in health and social care. We know and have discussed at length today the financial pressures that our budget and, indeed, all budgets in this

place are under. Coupled with that, in health, we have a growing and an ageing population, which presents a series of challenges. We have a ticking time bomb of unhealthy lifestyles, and even good things like medical and technological advances are putting additional pressures on costs and increasing demand. I know that urgent action is required.

I put out a road map of reform in the speech I made on getting rid of unnecessary bureaucracy in our system and seeking to configure our hospital services in the most appropriate way to deal with those challenges and give the beneficial outcome of world-class health and social care system to people in Northern Ireland. That is not easy to do. It takes time. I wish that I could make it happen overnight, but I cannot do that. I do not have the magic ability to do that. If I could, I would, and I will not take a minute longer to do it than is necessary.

We need to be mindful that there are processes that we need to go through in closing down organisations in the public sector, but, as I said previously, I will make sure that whatever can be done without the need for legislation will be done and will be implemented as quickly as possible. The work on the panel's recommendations will take longer, and that is why I have said that that might take half a decade or even up to 10 years. That is work that is very much long term, but, even though it is long term, we cannot lose sight of the need to do it.

### Air Ambulance: Update

**T3. Mr Girvan** asked the Minister of Health, Social Services and Public Safety for an update on the air ambulance service that he announced to the House a few weeks ago. (AQT 3133/11-16)

**Mr Hamilton:** In September, I was very glad to announce my commitment to introducing an air ambulance service for Northern Ireland. I think that that announcement has been very well received across Northern Ireland. I committed to carrying out a consultation. I hope to be in a position this week to launch that consultation and that it will look at a range of important issues on which it is pivotal that we come to a conclusion in respect of an air ambulance. Those issues include where it might be based, how it might be funded and to what level it should be staffed with clinical involvement. There is a range of serious issues beyond the basic commitment to do it that need to be ironed out, and I hope that a consultation can do that.

I encourage everyone with an interest in this to contribute to the consultation, and I am sure that there will be a range of very different views around what it might be. The important thing is that we realise the vision set out by Dr John Hinds and, indeed, by many of his colleagues that Northern Ireland can sustain an air ambulance service and, indeed, that it needs one.

**Mr Girvan:** I thank the Minister for his answer, and I appreciate the positive approach that is being taken to this matter. All politics being local, I am putting forward a good suggestion that the international airport, which is located in my constituency, is the ideal location for such a service. Does the Minister consider that to be possible?

**Some Members:** Hear, hear.

**Mr Hamilton:** There seems to be common accord for that suggestion, even from Members from other constituencies around the Chamber. I want to leave it to the consultation to look at issues such as where it might be located. I do not want to make a commitment here or there today. I might be tempted to say Newtownards airport, actually. I think that it is incredibly important that, in taking forward such a serious thing which will benefit people in Northern Ireland in the years ahead, we get it right in terms of how it is funded, how it is operated clinically and where it is located. I do not want to prejudge the consultation. I acknowledge that there are certain advantages with Aldergrove, given the collocation with the Police Service of Northern Ireland, which has a series of helicopters there. I am not sure of the exact number, but I know that there is a handful. There are certain advantages there — good geographical advantages, as well — but I certainly do not want to rule out anywhere. There may be other considerations as to the total geographical area that a helicopter emergency medical service might cover. Certainly, your bid for Aldergrove has been heard loudly and clearly.

### Mater Hospital: Consultants

T4. **Mr F McCann** asked the Minister of Health, Social Services and Public Safety what he is doing to address the shortage of consultants in the Mater Hospital. (AQT 3134/11-16)

**Mr Hamilton:** I thought that this issue might come up today because it has obviously developed over the last number of days, so it is the very definition of a topical question. Much as Ms Fearon raised concerns about consultant cover at Daisy Hill, similar issues have arisen in the emergency department at the Mater Hospital. As I said to her, my job — indeed, this goes for anybody who holds this post — should be, I believe, to ensure the highest possible levels of quality and safety in our health and social care services.

The Belfast Health and Social Care Trust advised my Department last week of service difficulties at the Mater Hospital emergency department. As a precautionary measure, in response to concerns raised by senior medical staff about medical cover in the evening and overnight and the management of paediatric patients, the Belfast Trust has instigated short-term measures to ensure that safe, effective arrangements are in place outside normal working hours and to ensure that children needing emergency treatment get that treatment in the most appropriate place.

Belfast Trust emergency departments are managed as a full, joined-up service, and this precautionary measure was implemented on a coordinated basis to ensure continuity of service in Belfast. Overnight ambulance divers from the Mater are expected to remain in place as a temporary measure. Children will be redirected to the nearby Royal Belfast Hospital for Sick Children, which has a dedicated paediatric emergency department, while the Belfast Trust seeks to resolve the concerns identified and recruit senior medical staff. I made the point to Ms Fearon that, if clinicians come to me and my Department and say that a service being run in the short or longer term is unsafe, I have a duty to listen to them and to act.

**Mr F McCann:** I thank the Minister for his answer. I accept and appreciate that there are many difficulties in this, but

can he assure us that he will do all within his power to try to ensure that consultancy posts are filled to meet the demand in the Mater Hospital?

**Mr Hamilton:** Absolutely. I am certainly committed to doing that and to ensuring that the highest quality of care and safety of care can be carried out in the Mater, Daisy Hill or wherever. I am certainly committed to doing that. He should acknowledge, as I am sure he does, the challenges with recruitment. There is much competition inside Northern Ireland, never mind outside it. I will certainly do my best.

As I mentioned before, I had a conversation last week with the Royal College of Emergency Medicine, which has acknowledged — I hope that I can speak for it — the good work that has been done by my predecessors in trying to recruit more people to emergency medicine. Certainly, it warned me that there is a risk that some of the things that we talked about today around Daisy Hill and the Mater Hospital may happen, and we need to do our very best to ensure that they do not happen. I have tried to put in place the appropriate resources, particularly in terms of staff. I will certainly make a commitment to do all that I can to ensure that the issue in the Mater Hospital is resolved in the short term and is made sustainable in the longer term.

3.30 pm

### Slieve Roe House, Kilkeel: Update

T5. **Mr Wells** asked the Minister of Health, Social Services and Public Safety for an update on the Southern Trust's consultation on the future of Slieve Roe House in Kilkeel, given that he will be aware of the concerns. (AQT 3135/11-16)

**Mr Hamilton:** I thank the Member for his question. I know that Slieve Roe House in Kilkeel is an issue that he has a deep and long-standing interest in. As he will know, the recommendation from the trust, which went out to consultation, was that Slieve Roe should close. However, the board recognises that there are limited alternative options available in the Mourne and Kilkeel area, and it has agreed to reopen it to admissions until alternative options, in particular the proposed 12-unit supported living facility, become available in the spring of 2017. Those proposals have gone to the board, and they will come to me as Minister to ultimately sign off on. I will consider a range of factors before making my final decision.

It is worth re-emphasising, if I may, his commitment and that of Minister Poots when he was in post, and which I have reiterated: if a final decision is taken for closure, no resident in any of the homes that are earmarked for closure will be moved if they do not wish to move.

## Assembly Business

### Extension of Sitting

**Mr Deputy Speaker (Mr Beggs):** 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 16 November 2015 be extended to no later than 9.00 pm. — [Ms Ruane.]*

**Mr Deputy Speaker (Mr Beggs):** Can I ask you to take your ease for a few minutes, please?

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

## Private Members' Business

### Human Transplantation Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Human Transplantation Bill [NIA 64/11-16] be agreed. — [Mrs Dobson.]*

**Mr Dickson:** First, I thank Mrs Dobson for bringing the Bill to the House today and for the tremendous work that she has done in preparation for what is a very difficult and emotional subject for her personally, and which is also of great importance to many people who have had to face the trauma of a transplant or, indeed, make the decision with a loved one that donation is the appropriate thing that they wish to do when death occurs or, as is the situation now, where many people will make live donations for kidney transplants.

I want to be very brief and say a few things about this issue. The Alliance Party is supportive of the Bill. We will listen in detail to the work done in the Committee and follow its progress with interest, but, in broad principle terms, we are very supportive of the Bill as proposed. I will refer to a number of personal experiences that have taken me to the conclusion that this Bill is of benefit and should be encouraged.

Over 20 years ago, I remember two young men from my constituency who, coincidentally, knew each other through youth activities and the Boys' Brigade, one from Carrickfergus and one from Greenisland. They were two very early recipients of heart transplants at Harefield Hospital. Sadly, in time, both of them died, but both were brave in the operation that they faced and both had an extension to their lives that would not have been granted to them had their illnesses continued. I have no doubt that, as their families look back on what they did at that time, they will realise that they made an immense contribution not only to their lives but to medical science and to the team that was working at Harefield Hospital.

I also want to refer to a friend who has now received the second kidney transplant of his lifetime and to attest to the life-giving powers that that has brought to someone who is in their working years; is fit and able to return to work and to make a contribution to this society and community, and is able to be a taxpayer and not a burden on our health service as he is fully fit and able to make a contribution.

I encourage anyone who today wishes to be an organ donor to give serious consideration to that. I carry a donor card with me. I have given consent on my driving licence application form just in case anybody is not sure what the card in my wallet is for or it cannot be found, and I have told my family and friends that I wish to consent to donation after my death, if that is appropriate. As Mrs Dobson pointed out, there are many circumstances where, sadly, it is not appropriate. A small number of people can become donors. For those who actively do not wish to be donors, I believe that the soft opt-out is the right approach. No one will be forced into making a donation. Family members should not feel under pressure. It should be a decision made at a particular time and one that the donor should hopefully have given consideration to, but, nevertheless, families and close relatives will have a final say.

I am delighted to support Mrs Dobson in the work that she has done and in the research that she has undertaken, which has been meticulous. She has consulted widely, and the consultation has, I think, delivered a very clear message to the Assembly. I have no doubt that the Welsh model, which is one that is proposed, carries a great deal of merit. I encourage the House to unite today in support of the motion.

**Mr Middleton:** I, too, welcome the opportunity to speak on the Human Transplantation Bill this afternoon. Around the world, organ donation policies vary greatly. There are arguments for and against whether an opt-in donation system, like the one we currently have, or an opt-out system, which exists in other countries, is better. With the current opt-in system, people have to actively sign the organ donation register to donate their organs after death, and, of course, with the opt-out system, organ donation will occur automatically unless a specific request is made before death for organs not to be taken. Whilst I have no doubt that there are positives and negatives with both systems, the fact that both are reliant on active decisions from individuals can lead to drawbacks. Inaction in an opt-in system can lead to individuals who want to donate their organs not donating. In contrast, the inaction in an opt-out system can potentially lead to an individual who does not want to donate becoming a donor. There are numerous reasons why people may not act, whether it be through lack of awareness, because of loss aversion or because of a belief that the policymakers have got it right and that there is no need to do anything.

Whilst I have opted in for organ donation by signing the register, it is only when I hear the personal stories of those who are waiting for an organ transplant or those who have received an organ that it truly hits home how life-changing and life-saving the decision is. One such story that I wish to touch on today is that of Andrew Duncan. At the age of 23, Andrew was diagnosed with a hereditary condition called dilated cardiomyopathy. Andrew lived in the Waterside area of the Foyle constituency, in which I reside, with his wife and two children. He had been on the waiting list for a heart transplant since 2011. Andrew was a strong advocate in principle for the new legislation on the opt-out system for organ donation in Northern Ireland. Even though he suffered from a heart condition that made it difficult for him to walk, last February, he carried out a sponsored walk to raise awareness and to raise money for the British Heart Foundation.

He made a poignant video for the British Heart Foundation, appealing for people to consider donating their organs. I encourage anybody who has not yet signed the register to watch Andy's video. Sadly, one year ago to this very day, Andrew's time ran out, and he lost his fight for life. My sympathies today go to his wife, family and friends. There is no doubt that many others out there have lost loved ones.

As we debate the Bill, it is impossible to ignore the personal stories and those who have been directly affected by organ failure and are reliant on organ donation, just like Andrew. Although it is important to listen to personal stories, we should not let emotion dictate the legislation.

With nine out of 10 people in the UK saying that they support organ donation, and only three out of 10 having signed the organ donation register, more needs to be done. I support the elements of the Bill that ensure that the Department of Health further promote transplantation, in

particular that it carry out a public campaign at least once a year.

However, a report on organ donation systems by Professor Eamonn Ferguson of the University of Nottingham, noted that countries that used opt-out consent still experienced organ donor shortages. Completely changing the system of consent was therefore unlikely to solve such a problem. The report suggested that consent legislation or adopting aspects of the Spanish model could be ways of improving donor rates.

Spain currently has the highest organ donation rate in the world. The Spanish utilise opt-out consent, but their success is accredited by experts to measures such as a transplant coordination network that works locally and nationally and improving the quality of public information available about organ donation.

More thorough research is needed on the use of the opt-out system, particularly the soft opt-out system that is going through in Wales, which we hope to relate to closely when looking at the Bill. I expect that we will be able to learn from Wales's experience and use it to carefully consider the future of organ donation in Northern Ireland. It is vital that we hear further on this very important matter from clinicians and health professionals.

As was made clear from the consultation on the Bill, it is vital that safeguards be put in place to protect children and young people, vulnerable adults, those whose identity is unknown and those who are not normally resident in Northern Ireland. The report 'The potential impact of an opt out system for organ donation in the UK' stated that data protection and privacy were of concern to many individuals. Assurances need to be in place for members of the public who feel concerned about the security of key pieces of personal information.

The report also stated:

*"An opt out system has the potential to erode the trust between clinicians and families at a distressing time. The concept of a gift freely given is an important one to both donor families and transplant recipients. The Taskforce feels that an opt out system of consent has the potential to undermine this concept."*

Although there are many concerns about the opt-out system, if we can get it to Committee Stage, that will give the Health Committee an opportunity to delve deeper into and scrutinise the Bill and to hear more evidence.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an deis labhairt ar an rún thar a bheith tábhachtach seo inniu. I welcome the opportunity to speak on this important Bill.

I acknowledge the good work done by Jo-Anne Dobson in bringing about the Bill. It has been comprehensive, with lots and lots of hard, in-depth work, and it has raised awareness of the subject. It is an emotive subject, as we have heard from most Members. That is naturally so, because it involves lives, and lives are being lost because we do not have enough organ donors.

We have the opt-in system that allows people to opt in to be an organ donor. The soft opt-out way that is proposed is the right way to go, as it will allow for more opportunities for organ donation for people in difficult circumstances.



The circumstances for everyone involved are extremely difficult.

### 3.45 pm

**Mr Ross:** I thank the Member for giving way. I have heard from a number of Members that moving to a system of opt-out will produce more organs available for transplant. Will the Member tell us where she gets the evidence for that? The evidence from around the world is incredibly sketchy and there are many areas that operate systems of opt-out which produce a much lower level of organ donation than we have in the UK or Northern Ireland.

**Ms McCorley:** I thank the Member for his intervention. He has made it quite a few times today and it has been responded to. Jo-Anne Dobson made a good response to it, so I am not going to add anything further. I believe that more lives will be saved and prolonged if we adopt a new soft opt-out system.

As I was saying, it is an emotive and painful issue. It comes at a time in people's lives when hard decisions are made very difficult. We must try to make the circumstances easier for people to deal with. There are no more compelling arguments than the stories that we have heard today. At Committee, we also heard from people who have had real-life experience of organ donation, what it has meant for them and how it has made such a difference to their lives. I acknowledge the difficulties and the fact that lots of different views pertain on the subject. We will work through all the difficulties, hopefully, if the Bill proceeds to Committee Stage.

On average, 15 people die while on the waiting list; that statistic was referred to earlier. We need to bear in mind that, maybe, that does not need to happen. As I said, given the opportunity, we will reflect very carefully on the implications of the Bill, and I hope that Members of the Assembly see fit to give it full support.

Before I finish, I will make one last point. It is important that we take responsibility for having conversations with our families and friends so that people know our wishes. The more we can do that and the more we can discuss the subject, the easier it will be in times when difficult circumstances arise.

**Mrs Cameron:** I rise as a member of the Health Committee and as someone whose name is on the organ donor register. I would like to pay tribute to Mrs Dobson for her work in raising the profile of this important issue and for ensuring that there has been considerable public attention and media coverage, which can only raise awareness further. That is to be welcomed.

Before I turn to specific aspects of the Bill, I would like to make some general remarks on the subject of organ donation. Although I have not had the personal experience of the Member, I am equally as passionate about the subject and believe that it is critical to raise awareness and provide the public with as much information and support as possible. There are some truly amazing stories — we heard some today — of lives saved thanks to the generosity of individuals who made the decision to donate their organs. It is also amazing to see that the families of those tragically left behind after the death of a family member are able to gain at least some comfort from the fact that other lives have been saved or improved as a result of organs donated by their loved one.

For all the stories of courage, love and human kindness, organ donation remains an area that still has enough issues around it to merit further debate and action. I am pleased that this debate brings that opportunity to the House and to take part in it. I spent a number of hours at Committee evidence sessions and took further time over the weekend to read through the draft Bill and its supporting material in more depth. After doing so, I have some questions as I seek further clarification on certain matters. I have real concerns with regard to the Bill, but I will reserve judgement on it until I have heard the full debate.

The main problem that I have with the content of the Bill is that it appears to be a Bill of assumptions. Let me just give one or two examples of what I mean. The Bill assumes that no family member would go against the wishes of any potential donor and offers the use of advocates to ensure that the donor's wishes are adhered to.

I simply do not accept that this can be taken as given. Families will be in turmoil and possibly not even in the right state of mind due to the magnitude of their loss. How can a clinician be expected to oversee the practical outworkings of this? Will families be expelled from the bedside if they do not wish the donation to take place, with only advocates being present when arrangements for donation are being made? It seems unfair to me to place additional burdens on already overworked clinicians.

I give the example of someone who has expressed their wish to donate. They have two advocates in place, neither of whom is the next of kin. The donor has obviously placed their trust in these advocates to back up their wish, and we are assuming that it is for organ donation. The next of kin, however — possibly a husband, wife or partner — is absolutely opposed and devastated at the thought of their loved-one's organs being donated. My question is this: how will clinicians be able to deal with this at the hospital bedside?

The Bill assumes that an annual awareness campaign can be funded and will be pivotal in raising donation figures. Again, much as I think that the idea is sound, we all know that there simply are not the resources available for every awareness campaign that we might want. Even if funding were available for this type of campaign, which, incidentally, I am very supportive of, as it is how we will get more names on the organ donor register and prompt more families to have the conversation, we cannot even be sure that an organ donation campaign would be amongst the top health priorities in Northern Ireland, given the many competing pressures on our health service at any given time.

The Bill assumes that soft opt-out and state ownership of organs will be acceptable to everyone and will become a societal norm. No matter how much I would like there to be no shortage of organs for donation, this just does not sit easily with me, and I daresay that I am not the only one.

Whilst the consultation and the accompanying media coverage have heightened awareness of the issue, it was interesting to note in Committee that, according to the PHA survey, which took evidence from a range of clinicians who are actually involved in the process of organ donation, support for presumed consent was lower amongst them. At the very least, this would be a warning light to me that we need further consultation with the professionals, as opposed to a public consultation on the SurveyMonkey website.

When I look at the time that an individual would have to invest in discussing this with family and in appointing advocates, I wonder why they would not just take a few moments to fill in a donor card, thereby ensuring that their wishes are known in the event of their death. On balance, I have to say that I am not entirely convinced that a Bill is the way forward on such a highly controversial, sensitive, emotional and, for some, distressing subject. I am much more comfortable with the agreed aim of both public and clinicians that more effort be put into raising awareness and encouraging discussions in families.

Finally, Dr Courtney, a transplant doctor at the coalface who accompanied Mrs Dobson to a meeting of the Health Committee in October 2013, expressed the view in response to questions that if the legislation were introduced in the wrong way, it could make things worse. I will leave it at that. Thank you.

**Mr Ramsey:** I am delighted to be able to talk in the debate today. I declare my membership of the all-party group on organ donation.

I have watched with interest over the years the political role that Jo-Anne Dobson has played in, and the passion that she has had for, elevating and promoting organ donation. Clearly, she has a huge personal interest in it. I have also noticed the compassion of a mother coming through, as she has tried to ensure that other families in a similar position reach the desired outcome of a transplant that can save the life of their loved one.

The SDLP supported what Jo-Anne Dobson is proposing in her Bill in our manifesto. It is an important piece of legislation, and I commend Mrs Dobson for bringing it to the House. I am aware of her hard work, determination and commitment in pushing through this legislation on organ donation.

I have heard other Members talking about it, and I have absolutely no doubt in my mind that this Bill will change lives. The Bill aims to change organ donation laws, moving from an opt-in to an opt-out system. I am grateful for the safeguards that the Bill will put in place, with appropriate family safeguards, a requirement for express consent in certain cases and the ability for people to nominate advocates to affirm wishes upon their deaths. A key provision set out in clause 2 of the Bill is that transplantation activities are lawful only if there is consent.

I welcome the additional duties in the Bill that will ensure that the Department of Health will actively promote and increase awareness of transplantation. It will also ensure that the Department provides information about transplantation, deemed consent and the role of family and friends.

During the debate, I have been reflecting on the very untimely death, a few months back, of one of my constituents, Lisa Orsi. Lisa was a young student, 22 years of age, who had graduated and was working as a physiotherapist in a hospital in Singapore. She went trekking with a number of her friends and died after taking altitude sickness. I know the family — Dennis, her father and Sharon, her mother — would like me to reflect on their case. On her death, Lisa was awarded an ambassador role by the Singapore Government because of the level of donations she was able to give. Around 50 people got some form of donated organs from Lisa as a result of her untimely death. It was a heartache and a serious trauma for the family, but they took great solace and comfort from,

and were proud of, the fact that Lisa was able to give a quality of life back to so many people in Singapore. That is the basis — a very personal basis — that I am coming from: knowing the effect and the desired outcome that it will have, not just in saving lives but clearly, in other cases, in improving the quality of life for many people.

In advance of the Bill being brought forward, a comprehensive consultation process was undertaken — almost 1,300 responses. We cannot ignore that. People can question the validity of this or that aspect of the Bill, but the whole purpose of this Second Stage is to enable it to go to the Committee for effective and appropriate scrutiny. Those Members who have been negative have not just been negative during this debate. I have seen them having the same negativity at the organ donation group meetings, and not being clear on it. I think that there is an opportunity —

**Mr Ross:** I appreciate the Member giving way. To provide absolute clarity; when the Member talks about “negativity”, that negativity is not about organ donation. I do not think that I have heard anybody say that they have any problem with organ donation. Indeed, the aims of the Bill’s proposer are laudable ones that we all agree with. The difficulty is around the method used to arrive at that solution. There are genuine concerns around the issue of consent. I think it important to point out that, when the Member talks about negativity, we are not talking about negativity around organ donation; it is about the way in which we deliver the outcome that everybody wants to see.

**Mr Ramsey:** I did not identify you as being negative, but you have certainly been very challenging. Those challenges can play a part in the process during the Committee’s scrutiny of the Bill in those areas of evidence. Let the Committee scrutinise; let it find out where there is evidence and where there is lack of evidence. The important thing is that there is a Bill here that people want to amend. If people want to look at different areas, then let us hear their ideas.

We have heard that 83% of the respondents that took part in that consultation were supportive. That is a big majority of that figure of 1,300 people. The Member is still shaking his head. I hope, Alastair, that —

**Mr Ross:** I thank the Member for giving way on the consultation. That consultation, which Members have also seen, is from the PHA. That consultation is, I think, much more in line with other consultations around the United Kingdom around presumed or deemed consent laws, which indicated that the population is much more evenly split: around 50%. What is interesting in the PHA document that Members have had sight of, and hopefully, particularly Health Committee members have had sight of, is that it shows that the more that people learn about the system of deemed consent, the less likely they are to support it.

Is he not concerned about that, and does he not recognise the PHA consultation as opposed to the consultation carried out by Mrs Dobson?

#### 4.00 pm

**Mr Ramsey:** The Member has certainly been very articulate about his reasons. He has justifiable reasons, some of them, may I add, very fundamental. I do not accept that —

**Mr McGimpsey:** Will the Member take a point of information?

**Mr Ramsey:** Yes.

**Mr McGimpsey:** I thank Mr Ramsey. As I understand it, the PHA consultation had a 61% approval; it was not 50:50.

**Mr Ramsey:** I say to the Member again that there is an opportunity for DUP members of the Health Committee to pose questions and to challenge. If they have concerns, they can raise those concerns. Like other Members, I would like to see an opportunity for the Bill, and I believe that it is a good Bill. As Jo-Anne Dobson outlined very clearly and admirably, it will save lives. The Member persists in shaking his head, but anyway.

For many families, it is difficult to discuss an untimely death, even with those who are very close to it. I referred to Sharon and Dennis Orsi: they took pride, at their daughter's death, in the fact that she was able to invigorate and give life back to so many people in Singapore. I see the same happening here if the Bill progresses. The increased awareness and discussion coming out of this is very helpful, as it will encourage and stimulate debate among the medical fraternity and clinicians. Alastair, you have been in some of the meetings where we had senior clinicians voicing their clear support in Northern Ireland for the Bill.

The family safeguards in the Bill will ensure that families are more involved in organ transplantation, unless the person himself or herself has expressly chosen to opt out. Locally, under the current system, 30% of the population are registered, despite the fact that UK-wide surveys have shown that 90% of individuals are willing to donate organs. At the end of September this year, there were 162 patients in Northern Ireland on the transplant list. I hope that, if the Bill passes, the number of transplants will seriously increase, as Jo-Anne Dobson outlined, and I have no doubt that it will. Lives will be saved.

I will take personal and political pleasure in supporting the Bill's passage to the Committee. I say to Members across the way that they should give it a chance. Nothing will happen. It will go through Committee, and there may be areas of it that the DUP wants to amend or feels should be changed. Have any of you met Jo-Anne Dobson to personally go through it to see what areas, doubts or concerns there are? That is the challenge. I encourage you to talk to Jo-Anne Dobson and her advisers, get an insight into where she is coming from, and maybe we can progress things a lot better. I certainly support the Bill.

**Mr McKay:** I support the principles of the Bill and support its passage to Committee Stage, because it is about saving lives. The Welsh Assembly realised that: their Health Minister said, quite simply, that it would give hope to people on the register. This is a soft opt-out system. We do not want to see a system that in any way adds to a family's grief, but paramount is the need to offer hope to those people and to protect a person's wish to donate.

At present, there are over 650,000 people on the organ donation register, but, as Mr Donald Cairnduff told the Committee, many of them have not told their loved ones or their families. In many cases, they do not wish to have that conversation and would feel uncomfortable doing so, so we need to see a culture change as well. Where it has

been introduced in other countries, culture change has soon followed.

The Committee discussed scenarios such as where a next of kin opposed donation, even against the deceased's wishes. In such cases, it is important that the wishes of the donor are protected.

With the introduction of the system in Wales, people have a better chance. If we have a soft opt-out here, people will have a better chance. Those in need of a successful transplant need to be given a better chance of life: in essence, that is what we are talking about. By passing the Bill, without or without amendments, we can give people a better chance of life.

The way that I see it, the Bill is one of the most important Bills in the lifetime of this Assembly. That is the magnitude of what we are talking about. I congratulate the sponsor of the Bill for bringing it forward. She has obviously invested a lot of time and effort, and, as someone who has brought forward two private Member's Bills, I can certainly understand the frustration when a Bill is killed off at Second Stage without getting a fair hearing. In that context, supporting the Bill is simply the right thing to do. The evidence is overwhelming. On the whole, when variables are accounted for, countries with a soft opt-out have 30% higher donation rates than those that are described as informed consent countries. The Westminster Government commissioned research by the York group. It concluded that the available evidence suggested that presumed consent was associated with increased organ donation rates, even when other factors were accounted for.

It is a simple decision for me. We are debating the broad principles of the Bill, and Members are in agreement with those broad principles. They may want to make amendments at a later stage, but they should not try to kill the Bill at this stage without giving the opportunity for it to be discussed at Committee Stage. I reiterate: lives are at stake. Members will have an opportunity, if they want, to vote the Bill down at Final Stage, but, at this stage, the proper and mature thing to do is to allow it to proceed to Committee Stage, so that we can look at the issues and concerns that all Members and some parties may have with the Bill.

As far as I am concerned, the evidence that I have seen shows that the Bill will save lives. The introduction of a soft opt-out system has saved lives in other countries. I believe that it is a no-brainer and should be supported by Members. I look forward to Committee Stage. We need to look at experiences elsewhere. We need to look at the Welsh experience, given that they have just come through the introduction of legislation. Given the size of Wales in comparison with this part of Ireland, it is only proper that we look at the Welsh experience, and then we can look at amendments. At this stage, we are only discussing the principles of the Bill. Given its importance to people who are worried about their lives, it is a simple decision to support the Bill at Second Stage.

**Mr Ross:** I welcome the opportunity to contribute to the debate. The Bill has been a long time coming. We have had debates over the last number of years about its general themes. I have expressed my concerns about it, and I still have the same concerns. Whilst I remain of the view that legislating in the area is unnecessary and potentially counterproductive, I, of course, recognise that

getting legislation to the Floor is, in itself, no easy task. Therefore, I genuinely congratulate Mrs Dobson on all her efforts over the last number of years to raise public awareness of organ donation.

The truth is that, until four or five years ago, many people in Northern Ireland probably did not think about organ donation, let alone have a conversation with their loved ones or families about their wishes for when they died. I listened to the opening arguments from Mrs Dobson, and it was clear that, as a mother and a campaigner, she is incredibly passionate about organ donation. She made a powerful emotional argument about why, in her view, the Bill should be passed.

I heard other Members give equally powerful and emotional testimonies from their own constituency and about people in their constituency who have benefited from organ donation. I have spoken to many families who have had loved ones sadly pass away but were able to save up to six or seven other lives because of the fact that they were organ donors. It is hard not to recognise the powerful nature of those arguments.

However, I gently remind and appeal to the House that, as well as being mothers or fathers, brothers or sisters and sons or daughters, we are legislators. It is our job to look at legislative proposals and scrutinise them in depth. We must look at evidence from elsewhere in the world and not get carried away with the emotional argument, because it is important that we fulfil our role as legislators.

I am also quite sure that the amount of media attention around the proposals in the Bill will have prompted people to have the conversations that I mentioned and let their loved ones know what their wishes are. I think that it is something with which everyone in the House and outside it with an interest in organ donation will agree on: that the most important thing that we can all do is discuss with our family what our wishes are for when we die. If I have learnt one thing over the past number of years from taking a particular interest in this area, it is that what we want in our system is certainty and clarity when it comes to organ donation.

In my view, the only sure way of achieving that clarity and certainty is to make an informed decision during our life and to share that decision with our loved ones. That makes decisions that are ultimately taken by our surviving relatives easier in what are almost always incredibly difficult circumstances. As I have said on many occasions before, and I will say again to the House, one of my real concerns about passing a Bill of this nature is that we will have less rather than more certainty in the system.

Consider a family being called to a trauma unit in a hospital following a tragic accident involving a loved one. It could be a family that have never discussed organ donation and have no idea about the wishes of their loved ones. Under the Bill, that individual would be considered in law a willing organ donor, even when he or she has not been asked or never considered the issue.

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

**Mr Ross:** Go on.

**Mr Wells:** The Member is making valid points, but is he telling me that he is going to vote against the Bill moving into Committee, where many of his concerns can be addressed and the arguments teased out? Is he advocating that we vote against the principle of the Bill

going to Committee or saying, "Take it to Committee and consider the points that I am raising"?

**Mr Ross:** The Member makes an interesting contribution. Other Members have raised the point about the importance of letting the Bill go to Committee Stage for it to be investigated further. I view the principle of the Bill, and Second Stage is about a Bill's principles. The principle of the Bill is not the importance of organ donation. The principle of the Bill is introducing an opt-out system — a presumed consent system, or a deemed consent system — for Northern Ireland. On that basis, I am opposed to the principle of introducing law to make presumed consent the reality in Northern Ireland. On that basis, yes, I am opposed to supporting the Bill at Second Stage.

I accept that I am very much in the minority. However, that will not stop me advocating my own concerns around the issue. I genuinely hold the belief that Second Stage is about principles, and the principle of the Bill is presumed consent.

**Mrs Dobson:** I thank the Member for giving way. I just remind him that my door remains open, as it has been since I first proposed the Bill. I have corresponded via email, and I am still waiting for the Member to take up the offer to come and meet me. I also remind him that, in a radio interview on Frank Mitchell's show last year or the year before, you reiterated the fact that, if a family affirmation were in the Bill, you would have no concerns about it. What has changed since then?

**Mr Ross:** That is not my position, and I challenge the Member to find a transcript of any radio interview in which I said that. We did try to have a meeting. As I recall, a number of dates were provided, and none was suitable to the Member to meet. Let me make the point to her, and this is not in any way an attack on Mrs Dobson, but she is intent on introducing a system of presumed consent for organ donation in Northern Ireland. I am absolutely opposed to introducing a system of presumed consent. Therefore, in my view, there is nothing in clause 4 that would be bettered through amendment, because you would be going against the very principle of the Bill.

#### 4.15 pm

**Mrs Dobson:** I thank the Member for giving way. Where does it say "presumed consent"? It is deemed consent with family affirmation.

**Mr Ross:** Presumed consent and deemed consent is exactly the same thing. In law, it is exactly the same thing. I listened to the Member and some of her supporters say that the Bill would not have deemed consent or presumed consent. It does have deemed consent, which is presumed consent, and everybody, I think, acknowledges that. Other Members have used that phrase as well.

I will try to make some progress. I support organ donation — hopefully I have articulated those views — and I think everybody does. However, I think that there are ethical and moral issues around this Bill. Moving towards a system of presumed consent will put more pressure on families and medical staff in what are already incredibly difficult circumstances. I do not want a situation where families will feel pressured into allowing donation to proceed in those circumstances. I raised the issue of consent with a number of Members, and how the absence of an objection from the individual concerned can never be considered the same as



actual consent, and they have not given me a good answer on that issue.

Just as I commend Mrs Dobson for provoking a public debate on organ donation, some of the media coverage generated around the issue has been incredibly disappointing. Not only is much of it incorrect, ill-informed and sensationalist, but it has not, in my view, provided a balanced coverage for what is, as Members have acknowledged, an extremely sensitive and potentially controversial issue. To quote one example, on 12 February last year, the editor of the 'Belfast Telegraph' wrote:

*"To allow even one person to die through needless delay in the passage of this Bill would be an indelible stain on the Executive's legislative record."*

It is very difficult to have a rational debate in the circumstances in which those of us who oppose presumed consent or deemed consent are accused of not wanting to save lives or worse — of actively wanting people to die.

**Mr Agnew:** I thank the Member for giving way. I am trying to get to the crux of the objection. He speaks of a moral and an ethical objection. Is it his contention that the evidence suggests that it will not increase organ donation? My analysis of the evidence is that it will. Or is it that he believes that the end does not justify the means — that it will increase donation, but there is a moral argument against doing it?

**Mr Ross:** I appeal to the Member to be patient, because I will articulate my arguments against the Bill for both reasons; first, because I do not believe that the evidence suggests that it will work; and, secondly, even if it did work, I think that there are real ethical questions around the consent issue. However, I will articulate those in more detail. If the Member wants to make an intervention at that stage, I will be more than happy to allow him to do that.

As I said with regard to some of the public statements on this, I think that no responsible person should call for important legislation of this nature to be rushed through without it being thoroughly scrutinised and considered, because that is, after all, our job. In her opening comments, Mrs Dobson appealed for us to rise above petty political posturing or party politics. She did that after reading out a series of comments from party manifestos. In my view, this is not a political issue; it is a personal issue. I certainly have not stood on any Assembly manifesto supporting presumed consent, and my colleagues in the Assembly have not either.

There are stark differences of opinion and different views on the issue. There are different views within the Democratic Unionist Party, and we have a free vote on the matter. Therefore, I found it particularly odd that people accused me of playing party politics with the issue, when some of my colleagues are very supportive of Mrs Dobson's Bill. In fact, the keenest supporter is Mr Jim Shannon, who is the Member of Parliament for Strangford. Mr Shannon and I have had many arguments over the merits or lack of merits of moving towards the position of presumed consent. This is not a political issue for me. I really despair at times when Members try to raise that issue, because, in my view, it is not a party political issue.

Given that it is a controversial issue, it is perhaps unfortunate that it is being introduced so late in the mandate, when the Health Committee could have a

particularly heavy legislative workload. I noted the comments that Mrs Dobson made during the Second Stage debate on the Mental Capacity Bill on 16 June when she recognised the difficulty of introducing legislation so late in the mandate.

She said of that Bill:

*"the Bill faces a challenging legislative timescale. As the Chair of the Ad Hoc Committee has already said, the problem with passing it through the House at the latter end of the term is that it will inevitably get caught up in a raft of other Bills, especially after the summer recess. Whilst I think that the Ad Hoc Committee will be able to perform its role, it is regrettable that the Assembly more generally will have less opportunity to examine this important legislation than it would have had if the Bill had been introduced a year or even six months ago."* — [Official Report (Hansard), Bound Volume 105, p382, col 1].

I agree with her. In my view, this Bill is not simple or uncontroversial legislation. I say that not because I want to embarrass Mrs Dobson but because she highlighted an important issue on the complexity and challenging circumstances of the Mental Capacity Bill. Equally, this Bill needs a lot of scrutiny and attention, and I am not sure that towards the end of the mandate we will be in a position to do that.

**Mrs Dobson:** Will the Member give way?

**Mr Ross:** Certainly.

**Mrs Dobson:** Maybe the Member can give us an update, following consultation, on the position of his Bill.

**Mr Ross:** I went out to consult on a different way of boosting organ donation. After consulting medical clinicians, my view is, very simply, that legislation is not required to boost the number of organ donors. Therefore, I did not bring legislation forward. The Member or any other Member should know by this stage that I am not particularly keen on legislating if it is not necessary. Sometimes, we legislate far too much.

I spoke to clinicians and experts on organ donation, and the view was quite clear: they did not feel that legislation was required. If I had reached the position where I felt that legislation was required, the way I was proposing would have been better than presumed consent. However, legislation is not required —

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

**Mr Ross:** Mr Wells.

**Mr Wells:** Had the Member pursued his Bill, would he not have felt aggrieved if the House had decided to block it at Second Reading and not allowed the nuances of what he was trying to say to be teased out in Committee? Does he not see that as a fundamental issue? He has concerns — they are well articulated — but he is denying the Health Committee an opportunity to tease out his arguments. If he remains unconvinced, there will be another opportunity at Final Stage to vote against the Bill. He is denying the debate that everyone else believes is required.

**Mr Ross:** I have not denied any debate; we are having a debate right now.

**Mr D McIlveen:** Will the Member give way?

**Mr Ross:** I will give way in one second.

Mr Wells has been a Member of the House for much longer than virtually anybody else in the Chamber. He, more than anybody, should know that the Second Stage debate is about the principles of the Bill. If you are opposed to the principles of the Bill and it passes through Second Stage, whatever happens with amendments, the same principles will come out at the other end. You are agreeing to the principles of a Bill. He shakes his head, but that is the process by which legislation goes through the House. If you agree with the general principles of the Bill, you can amend certain elements of it, but the fundamental core of the Bill, which is presumed consent, will come out at the other end.

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

**Mr Ross:** I am not going to give way again. Mr McIlveen asked me to give way.

**Mr D McIlveen:** I thank the Member for giving way. Does he agree, in relation to the interesting debate that has broken out on the Back Benches, that this is not an issue of tinkering around the edges? An amendment will not fundamentally fix the issue. Presumed or deemed consent is one of the foundation stones of the Bill. Therefore, suggesting that it can be tinkered with around the edges is an argument that would be difficult to stand over for those of us who have concerns.

**Mr Ross:** I thank Mr McIlveen. That is the view that I was trying to articulate to Mr Wells. I am not trying to deny a debate on any issue. I hope that there is a healthy debate in the Chamber, because, up until this point, I have not heard much debate. Hopefully, if we are to fulfil our functions correctly, we will have that debate. There are genuine concerns about moving towards a position of presumed consent, not just from me and some of my colleagues and not just from ordinary members of the public but from clinicians and medical professionals.

A number of the clinicians who work closest to transplants have expressed their unease about changing the legal parameters in relation to organ donation. That is recognised in the PHA public consultation document, which showed clearly that, the closer you got to clinicians who work with potential donors, families of donors and patients, the less likely they were to support changing to a system of presumed or deemed consent in an opt-out system. The same PHA report indicated that the more people understood about deemed consent, the less likely they were to support it. Suddenly, the figure of 90% for the people who, we often hear, support organ donation drops to around 50% for those who support a system of presumed or deemed consent.

I listened to Mr McGimpsey saying that around 60% of people supported presumed consent. That was during the first question. The PHA report shows that, once they learnt more about what presumed consent was, that figure dropped to one that is more evenly balanced. That is something that we should certainly take cognisance of. When considering the views of donor families, the PHA document shows that there was no clear consensus on whether they would prefer an opt-in or opt-out system.

As I have said on numerous occasions already during my contribution, the role of the Chamber is to scrutinise legislation, to examine the impact and potential unintended

consequences and to use evidence to decide on whether legislation is desirable or required. Having considered the issue in some depth over the last number of years, I hold the firm view that changing the legal framework from the current voluntary opt-in system for organ donation and enacting legislation such as is in front of us today creates confusion for families rather than certainty, is not proven to work and is wholly unnecessary to promote and boost the level of organ donation here in Northern Ireland.

Before addressing some of my concerns in detail, let me say again, as I said at the beginning, that I support organ donation. I said that to Mr Ramsey. I agree with the goal that Mrs Dobson has, namely increasing public awareness and increasing the number of organs available for transplant. I simply disagree on how we get there. Presumed consent or deemed consent, as it is labelled in the Bill, is a legislative framework in which all adults living in this jurisdiction will be considered to be willing organ donors unless they actively opt out by joining a register. That changes the default position. By passing the Bill, the 108 Members in the Chamber would effectively decide that everyone in Northern Ireland wants to donate their organs upon death, without ever asking them. I do not believe that we have the moral authority to make that choice for people. I strongly believe that we should make it easier for people to make their own choice about what happens to their body when they die and that we should absolutely not try to make that decision for them.

My principal opposition to the Bill is around consent. I will examine that in greater detail later. We should also use the evidence available to us to consider whether legislation is required at all. To do that, we must first determine whether we have a problem in Northern Ireland to solve and, secondly, ask whether this type of legislation will solve it. Only after examining those two issues should we consider whether the proposed legislation would be legally, ethically or morally sound.

Let us look at the current state of play in Northern Ireland. We have a reasonably good story to tell, as was acknowledged by the Minister on a recent visit to one of the Belfast hospitals. In Northern Ireland, we have a rate of 26.2% for transplants from donors, which is a higher donation rate than in many of the places in Europe that currently operate systems of presumed consent when we consider donations from those who have passed away. Sweden has a rate of 17.1%; Austria's rate is 25.5%; and the much-lauded Belgium, which is globally recognised as a good example of organ donation, has a rate of 26.8%. That is reasonably comparable to what we have in Northern Ireland, which would, in European terms, be the fifth highest rate. Furthermore, Northern Ireland consistently has one of the highest living donation rates anywhere in Europe. With a rate of 32.8%, we can celebrate the bravery and generosity of those in Northern Ireland who go through surgery to donate organs to those who need them most. That is higher than in Sweden at 16.2% and Austria at 9.1% and much higher than the much-touted Spain, where the rate is 9.9%. When considered on a global level, Northern Ireland would be third on the table for living donor rates, as is shown by the International Registry in Organ Donation and Transplantation.

From considering the number of organs that are gifted by those in Northern Ireland it is clear that we have some of

the most generous people in the United Kingdom. The net gifting of organs in Northern Ireland is of a negative number for every major organ donated, meaning that we take less than we give to the national organ transplant pool. Some of the stats were read out by Mrs Dobson for the number of organs, whether it be liver, lung, heart or pancreas, that we donate and the few that we get back. It is important to note that not every heart will be suitable for every person waiting for a transplant. Sometimes, unfortunately, the individual does not take to the organ that they receive. It is not simply an arbitrary argument over numbers. Nevertheless, the numbers in Northern Ireland should be celebrated, although, of course, there is more to be done.

We should be applauded for the efforts that we have made in recent years to boost organ donation, but, of course, as other Members have said, that will be of little comfort to those waiting for a transplant who cannot get one.

So there is an argument that, even though we have had a relatively positive story to tell, more should, and could, be done.

#### 4.30 pm

Those who support the Bill claim that, by passing it, we will save lives and boost organ donation numbers. Those, of course, are laudable aims, but, as I have said, evidence from around the world suggests that deemed consent does not work, and, if it did, there are all kinds of ethical, moral and legal difficulties with the system.

The presumed consent model is not a new one. It has been tried elsewhere and, most recently, Wales, as has been mentioned, decided that they would introduce presumed consent for organ donation. Interestingly, there is no established correlation between those countries that operate deemed consent and an increase in organ donation rates. Sweden, Norway, Brazil and Chile have presumed consent models but have significantly lower rates of organ donation than we do in Northern Ireland. Indeed, when deemed consent legislation was enacted in Brazil and France, it had the opposite effect to that which was intended, and the rate of organ donation dropped rather than went up. More importantly, the top two countries in the world for organ donation, the United States of America and Spain, have an opt-in system similar to what we have in the United Kingdom.

I want to spend a little time examining the Spanish case study, because, over the last decade, Spain has consistently had one of the best organ donation rates and the family acceptance rate, the importance of which Mrs Dobson talked about earlier, is an impressive 85%, yet some misinformed commentary on Spain says that they use presumed consent. The truth of the matter is that Spain does not use presumed consent. I will quickly refer to an article written by Professor John Fabre, a professor at King's College London. He goes into some detail about the system that operates in Spain.

He said that Spain has consistently had the world's best donation rate, with around 32 to 35 per million population for more than 10 years, and that its family acceptance rate is an outstanding 85%. However, Spain does not operate a presumed consent system. As a result of its pre-eminent international position, advocates of presumed consent very frequently misrepresent Spain out of ignorance

or wishful thinking. Spain passed presumed consent legislation in 1979. However, the legislation did not have a positive influence on donation and, so, in 1989, crucial organisational changes were instituted at a national level. These changes created an organisational infrastructure for transplantation, now internationally known as the "Spanish system". It is that system that the UK has emulated so successfully in recent years. It is from 1989 that Spain's donation rate began to rise to the pre-eminent position that it currently occupies. Many observers have wrongly attributed Spain's success to its 1979 presumed consent legislation. To correct that misconception, the director of the Spanish organ donation organisation, Dr Rafael Matesanz, was co-author of a paper that was published in the 'British Medical Journal' in 2010, which clearly stated that presumed consent law in Spain is dormant.

I think that that is important as we look at the countries that have the best rate and destroying some of the myths that exist around that. Spain's success is also referred to in a 'British Medical Journal' article written by Linda Wright, a bioethicist from Toronto. In that document she argues against presumed consent. She says:

*"Presumed consent will not answer the organ shortage. It has not eliminated waiting lists despite evidence that it increased organ donation in some countries. Systems of opting out do not ensure higher rates of donation than opting-in systems. Strategies to encourage people to donate and public education seem to help and are independent of whether people have to opt in or out. The shortage of organs has multiple causes; no single strategy is likely to solve it."*

In particular and specific reference to Spain, Linda Wright goes on to say:

*"Other factors that might explain Spain's enviable rates of organ donation include an environment that treats organ donation as a priority. Transplantation has a strong support system, a dedicated budget, and accountability for performance. Staff are trained how to approach grieving families about organ donation. Donation will not increase without the necessary equipment, trained staff, and intensive care beds to enable a potential donor to donate viable organs. These institutional factors contribute to the donation rate and seem to account for some of the variation in rates of organ availability."*

Again, that is a medical journal arguing against bringing in presumed consent and saying that the main drivers are ones other than an opt-in or opt-out system.

A further interesting article on Spain's organ donation success can be found in a 'Health Law Review' paper of 2010, which explains what worked in Spain and why they have changed their mind on deemed consent. Again, I will quote from that journal. It says:

*"Spain's rate of ... donation is currently the highest in the world, and has been for some time. As a result, Spain is often viewed as the country to emulate in this field. ... The Spanish government enacted a presumed consent law in 1979. ... the Spanish organ donation system floundered again through the mid 1980s, plagued with erratic donation rates, lack of infrastructure and administrative inefficiencies."*

Echoing the comments that were made by Professor Fabre, this article says:

*"The true turning point came in 1989, when the Spanish Ministry of Health set up the National Organization of Transplants (ONT). The ONT is a national body responsible for administering and coordinating Spain's system. Shortly after its creation, the ONT reorganized the Spanish system to allow more efficient and greater regional decision making. The ONT made extensive efforts to put infrastructure and training into place for transplant teams. These efforts bore tremendous dividends — between 1989 and 2006, Spain's organ donation increased enormously and has remained at a sustained high level for years."*

The article goes on to say why it did not support presumed consent. It says:

*"The ONT's primary fear was that trying to enforce the presumed consent law strictly would 'increase grief and would taint the system as coercive, labelling the ONT as an organ hunting device protected by an abusive law.' This approach appears to have paid dividends"*

It goes on to say that, as it is pointed out:

*"Spain's rate of family refusal fell to 21.3% in 1998, representing a drop of almost 30% from refusal rates in the early 1990s. The authors credit this to significant efforts to overcome various obstacles, including an earlier reluctance to approach grieving families."*

The importance of those transplant coordinators cannot be overstated. In Spain, the data quite clearly suggests that family consent rates are more than doubled when a coordinator in a hospital is able to spend three or more hours with a family.

Of course, the other country with a good record in organ donation is the United States of America. In the US, the surgeon general introduced new legislation on the US federal register that meant that each hospital had a legal duty to identify and refer every potential donor to the organ donor organisation. Potential donors are identified using clinical triggers that are very often present in patients who are likely to be diagnosed as brainstem dead. In addition, the US has a well-staffed and extensive network of organ donor coordinators and systems in place to reimburse hospital costs.

I have referred to the fact that, in the UK, Wales has indeed gone ahead and legislated for deemed consent, although clearly most Members would acknowledge that it is far too early to determine whether it will have any impact. When Prime Minister Gordon Brown was in office, he was very supportive of moving towards a system of presumed consent. He indeed commissioned a piece of independent advice from the organ donation task force. What is interesting about that piece of work is that, although it started from a position of supporting a change in the law on how we donate organs in the UK, the report concluded, however, that the UK should not move away from the current opt-in system. Let me quote from that report because I think that it is important that we listen to the evidence that was produced by the organ donation task force. It says:

*"When the Taskforce began its deliberations, members had a variety of views. By the end of the process a clear consensus had been reached, but only after an extensive range of evidence had been considered along the way, with much powerful and well considered opinion expressed on both sides of the equation."*

That report goes on to say:

*"we found considerable evidence highlighting the potential downside of such a move"*

towards deemed consent. It goes on to say:

*"The Clinical Working Group heard persuasive arguments from health professionals about the potentially negative implications for clinical practice, especially the potential to damage the vital relationship of trust between clinicians caring for people at the end of life, their patients and their families. Some intensive care staff in particular fear that a move to an opt out system would make critical care more difficult and could lead to some intensive care practitioners themselves opting out of participation in donation programmes. This would be disastrous for the future of organ donation in the UK since many of the recommendations made by the Taskforce in its earlier report, Organs for Transplants, are dependent on the active support of intensive care practitioners."*

The report continues:

*"The working group considering clinical implications also heard powerful evidence from recipients of organs who stressed their need to know that organs had been freely given by donors and their families, and from donor families who often find great comfort in being an active part of the decision to donate."*

It goes on:

*"It became increasingly clear that it would be both complex in practical terms and also costly to put in place an opt out system that could command the trust of professionals and members of the public. There would need to be a significant and sustained communications programme to ensure that all members of society knew about the new system and what it would mean for them. Real concerns were expressed about the security of information on an opt out register"*

The next paragraph states:

*"We heard support from members of the public and patients' groups for the principle of informed consent, and a perception that assuming consent from silence belongs to a more paternalistic era. Some felt that an opt out system could be 'dehumanising'. Given that current trends in healthcare place great emphasis on choice and responsiveness, this is an important consideration."*

Again, that is a point that I tried to make to Members.

The report then states:

*"Many people have reservations about a change to an opt out system, including some who are currently on the Organ Donor Register (ODR). Some faith leaders we spoke to warned of the potential for provoking anti-donation feelings"*



*and even active anti-donation campaigning. We heard considerable concerns about the impact on some groups, for example those who might be less comfortable using the 'opting out' process ... On balance, the Taskforce feels that moving to an opt out system carries a significant risk of making the current situation worse."*

Members should read that report by a group of experts that was set up by the then Prime Minister Gordon Brown and digest some of the information that is in there. As I said to Mr Agnew, even if the evidence from elsewhere in the world were to suggest that an opt-out system, or a deemed consent system, will result in higher levels of organ donation, there would still be questions around whether it is the right thing to do. I contend that it is probably not.

Earlier, I mentioned the fact that in Brazil deemed consent was introduced to boost the rate of organ donation. However, in practical terms, the actual rate of donation dropped in Brazil. That was in part because of a backlash against the state presuming the consent of its citizens and also because of a lack of trust in the medical profession in Brazil. To document that, I will quote from a 'Health Law Review' of 2010, which talks about the Brazilian experience and states:

*"Far less needs to be written about Brazil's attempt at presumed consent. By way of background, the Brazilian law was passed in 1997, became effective in 1998 and immediately faced heavy criticism."*

It continues that it was noted:

*"in practice, almost all surgeons sought consent from family members",*

and that the presumed consent law was not really used. It goes on to state:

*"Brazil still lacked the necessary infrastructure and administrative effectiveness to take advantage of such a gain. However the core problem with presumed consent in Brazil was widespread public distrust towards the medical profession ... Popular imagination also played a part in the downfall of the law. Part of the population feared that their organs would be removed even before they were clinically dead. Many rushed to public offices to register themselves as non-donors, to avoid such a risk. Apparently there were even difficulties registering as a non-donor in Brazil, further fuelling the fear that the law was ultimately an attempt at exploitation."*

I say that not to be alarmist but to point to the fact that issues around consent are important and that we need to consider them. Many clinicians in the United Kingdom, and in Northern Ireland specifically, also harbour concerns about the impact that the Bill could have on the doctor-patient relationship and trust in the medical profession, as well as the question of whether it would work.

I noted comments by Dr Declan Grace, who is the lead clinician in charge of organ donation in the Western Trust. He is one such expert who has publicly come out and said that he has concerns about the Bill. An article that appeared in the Belfast 'News Letter' on Wednesday 19 February 2014, reported that Dr Grace said:

*"he had 'great concerns' about the implications of the suggested changes, fearing that mistrust could be created between medics and patients."*

The article went on to state that Dr Grace spoke at a public meeting on the issue and reported that:

*"he thought that an opt out system would lead to an 'initial subtle uplift' in the number of people signing the donor register or expressing interest. But he expressed fears about the long-term implications",*

for organ donation. The article said that he feared that there would be a drop:

*"in the number of families giving consent for their loved one's organs to be donated",*

and expressed real concerns about moving forward with such a system.

Anyone who has researched this issue and read the comments of or spoken to clinicians working closest to organ donation will have heard this before; it is a common theme. A survey of Intensive Care Society members in 2008 indicated a belief that the introduction of deemed consent may damage the relationship of trust between clinicians caring for patients at the end of life and their families.

#### 4.45 pm

The Alder Hey case exemplifies why the public are uneasy around issues of consent. For Members who are unfamiliar with Alder Hey, it was a case where doctors took organs from deceased children without parental consent. Obviously, it caused a public outrage and led to questions for the medical profession about whether it is ethical to take organs without informed and expressed consent from anyone. I say this not to be sensationalist; I simply refer to it as a case to highlight the sensitivities and fears around failing to establish consent. Personal autonomy is so important, particularly when it comes to the healthcare system, because it ensures that the individual's views and wishes are respected. Indeed, many members of the Health Committee are also members of the Ad Hoc Joint Committee on the Mental Capacity Bill and, time and again, we talk about the importance of autonomy of individuals being supported to take decisions and actively making decisions during their lifetime.

It is firmly my view that presumed consent is not consent at all. Is it legally valid? How can silence in an opt-out or deemed-consent system be interpreted as actual consent? It is an issue that I raised with many Members previously in the debate, and I do not think that any of them have given me a satisfactory answer to it.

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

**Mr Ross:** Certainly.

**Mr Agnew:** I may not give him a satisfactory answer, but I will pose a question. There are many areas in our lives where our consent is deemed. He may have views on the example of telemarketing. It is assumed that our phone numbers and addresses are there to be used by marketing companies and, indeed, can be bought unless we opt out through the Telephone Preference Service or the Mailing Preference Service. That is something that exists in our lives, and it is for profit. This is an area where we can save people's lives and, given that people accept telemarketing,

I am sure that they will be much more favourable towards something as serious as saving people's lives.

**Mr Ross:** Let me address the issue of saving people's lives. If this were clearly determined to save people's lives, I think that we would be having a different debate today. I contend that this legislation is not the primary driver that can help us to save people's lives through organ donation, and that is one of the reasons why I am opposed to it. I think confusing the two issues of telemarketing and what happens to our bodies when we die is trivialising the issue somewhat. I pose this question back to him: can he point to any area of common or statute law in which silence amounts to consent? Would anybody argue that there is any other area of medicine or in law where somebody's silence on an issue should be interpreted by law as the same as giving informed consent? That is one of the areas where I have real concern over this legislation.

I know that Members will try to trivialise this issue and say that I am just opposing it for a variety of other reasons or that I am not interested in saving lives. I am absolutely interested in saving lives, but I think that we need to do it in an ethical way and, in many cases, the ends do not always justify the means, and the means are equally as important. I think that, when it comes to what happens to our bodies when we die, we absolutely should be making sure that, during our lives, we make a declaration about what we want to happen because that is how we get certainty into the system.

**Mrs Dobson:** Will the Member give way?

**Mr Ross:** I will give way to Mrs Dobson, although she does not always give way to me.

**Mrs Dobson:** I thank the Member for giving way. The Member has raised the issue of silence providing consent numerous times during this debate and has challenged a number of Members to inform him of when silence is assumed as consent in other areas of our health service. Well, I am going to accept that challenge from him, and I will welcome confirmation from the Minister that there are many areas in the health service where this is the case, including but not limited to additional procedures during surgery, emergency treatment, mental health conditions, self-harm and attempted suicide, and when there is a risk to public health. However, I have said from the beginning that the family will and should maintain the key role in providing consent following the death of a loved one.

**Mr Ross:** I absolutely accept the fact that, as with the current system, her proposals would allow families to effectively veto the donation from happening, but I think that that misses the point. The first stage is about how we get to arrive at consent, and I have a real difficulty that this House in passing the Bill is saying that we, as 108 legislators, have decided that every adult in Northern Ireland is a willing organ donor, without ever asking them.

That is the concern. I am not challenging the fact that families will have a veto over it. What I am challenging is how we get the consent in the first place and whether having silence on the issue will help families make those tough decisions. I am very much of the view that it will not help families. If a relative of mine were in a trauma unit and, sadly, was likely to lose their life, of course, I would want to do something that they wanted me to do. The clearest way that I feel I could get that assurance is from knowing that they made an informed choice during their life

to donate their organs. In those circumstances, I would be more likely to allow the donation to go ahead than if I was not sure. That is why, again, I have concerns about the Bill.

I have talked about some of the legal and moral difficulties with moving to a system of presumed consent. Again, I think that it is helpful to look at the Organ Donation Taskforce report, which has a specific section on some of the legal issues. I will quote directly from the legal working group, which said that it would be concerned about potential successful challenges under European Convention on Human Rights legislation.

It then states:

*"Furthermore, the legal group concluded that simply having a register where people could record their decision (opting either in or out) during their lifetime, without involving families at the time of death, would probably be insufficient to ensure compliance with the ECHR because:*

- in an opt out system, it could result in organs being taken from those who had not yet managed to register an objection, perhaps because they were simply busy or disorganised. They might also have learning difficulties or other problems with communication, such as English as a second language".*

I recognise that Mrs Dobson is trying to ensure in the Bill that there are certain safeguards around that. However, I will read out the statement again, because this is where my concern around consent comes from:

*"in an opt out system, it could result in organs being taken from those who had not yet managed to register an objection".*

The failure to register an objection can never be considered to be the same as giving informed and express consent. I have raised that issue a number of times, and I will continue to do so, because that is where some of my major concerns come from.

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

**Mr Ross:** I will.

**Mr McKinney:** I apologise to the Member for not being in for all of his contribution, but I had to be at a number of meetings elsewhere.

During Mrs Dobson's presentation to the House and to the Committee, she reflected on the public awareness campaigns and the fact that significant resources would be directed towards that type of campaign. Surely that would limit the issues that the Member is raising about those who may not find themselves able to give consent. Would public awareness campaigns not be able to target the vulnerable or those less able to understand some of the issues as well?

**Mr Ross:** The intention of a public awareness campaign should be to try to actively get people to make a decision in an opt-in system. Indeed, I paid tribute to Mrs Dobson at the beginning of the debate, because we are all much more aware of organ donation in Northern Ireland now than we perhaps were four years ago. The fact that the media have very much reported on some of her campaigning has meant that families will have those conversations and make decisions, which is a good thing.

I also think that the Department of Health, under various Ministers, should be commended for its public awareness campaign with the PHA in recent years. If we look at the figures for that campaign, we see that more and more people are joining the organ donation register or are having that conversation with families.

I think that that is a much better system than one where we automatically assume that consent has been given but have to check once a year that people are aware of the system. I think that that is a dangerous system. It is a dangerous precedent to create in law or medicine, and there are huge challenges around it. I want to try to eliminate, rather than limit, confusion. I think that by moving to a system where we ask people to give informed consent during their lifetime is a much better safeguard in ensuring that families, at a very difficult point in their lives, make decisions that they are confident and comfortable about.

I raised some of the legal concerns about the absence of consent, and I do not think that the intention of those who drafted the Bill is for organs to be taken when that is not the express wish of the individual concerned. I do not, for one second, say that that is the intention of the drafter of the Bill. However, as legislators, we need to be alive to these issues and ensure that we study and scrutinise the problems that this type of Bill could create.

I will again quote from the Organ Donation Taskforce document, which has a section on ethical issues. A special working group was set up for that. It says that:

*"They were unanimous in their belief that a society has an opportunity to do something morally significant by improving donation rates, as it is an opportunity to remove suffering and bring about substantial benefits for many people. Yet, despite this overwhelming moral good, the means of achieving this end still need to be independently scrutinised because it is also important that systems under which organs are removed for transplant are seen as morally acceptable. In other words, the end cannot be seen to justify the means".*

That is the point that I tried to make to Mr Agnew previously. On the issue of consent, it says:

*"it is then important to be able to demonstrate that each and every donation has been properly authorised; key to this is the need to be able to determine that an individual's wishes (or those of their families, where appropriate) have been honoured. This is of importance because, even though we wish to actively promote donation, we ideally want to know that people have clearly chosen to donate ... Uncertainty about a potential donor's wishes is at the heart of difficulties with the current system, yet uncertainty could remain an issue with an opt out system. It may not be appropriate to assume that all those who have failed to opt out have no objection to becoming donors, given the real possibility of apathy and/or disorganisation preventing them signing the opt out register ... The group was not convinced that evidence of widespread support, as expressed in opinion surveys, could necessarily support a claim that all those who fail to opt out actively intend to donate."*

I repeat again that deemed consent, as is proposed in the Bill, can never be considered as being on a level par to actual consent. It is an issue that I have raised previously

in debates on this issue, and it is an issue that I discussed at a Queen's University medical ethics debate that I participated in last year and one that was shared by many people in the room. There were concerns that deemed consent or presumed consent could violate a patient's right to make an informed decision, and so does not uphold respect for their autonomy.

The specific purpose of informed consent is to protect a patient's right to autonomy, as is made clear in the Universal Declaration on Bioethics and Human Rights in 2005 and the Declaration of Helsinki at the World Medical Association meeting in 2008. There are those bioethicists who argue that the concept of deemed consent is, in itself, a violation of a person's autonomy as it forces patients to either become donors or state their wish not to become donors. In both instances, a patient's autonomy is violated, as they argue that compelling patients is, in itself, unethical.

I would much prefer to see us create a system where it is easier for people to choose to make a choice, but not making any declaration at all cannot be considered as a choice. I hope that nobody wants to see the case where organs are being donated by default because an individual did not take the time to opt out or was not aware of the law. Even with the fact that a family could veto any donation proceeding, the fact that the Bill would presume consent in the first place is deeply worrying for me, and I know that it is deeply worrying for many medical professionals working in Northern Ireland. In particular, I note comments from Dr Peter Saunders, who is a former general surgeon. He said of deemed consent systems for organ donation:

*"I strongly support organ donation but so-called 'presumed consent' involves neither consent nor donation – it is neither voluntary nor informed and involves taking organs rather than giving them."*

The General Medical Council also rightly focused on the importance of individuals giving their informed consent. In this proposed Bill, that autonomy of an individual to give informed consent is removed, because consent is deemed. At present, the Human Tissue Act 2004 is the law governing much of organ donation in the UK, and the Act makes consent the focus point of deliberation, but this Bill moves away from the focus on consent, as consent will be presumed or deemed. I asked earlier if there was any other area of medicine in which consent would be presumed. Even when it comes to saving someone's life, doctors will act in a patient's best interests, but they do not presume the consent to do so. That is an important acknowledgement to make. I have spoken to doctors, and if you appear at an accident and emergency ward and you are unconscious, if a doctor takes the decision to operate on you when you are unconscious and cannot get the consent to do so, they are not presuming that they have your consent to operate, but they are acting in your best interests. It may seem like a minor point, but, in legal terms, there is a significant difference in the two positions.

My view is that organ donation should be authorised by the individual whose organs are donated. The Bill allows you to withdraw consent, but it does not appear to allow you to authorise it. In my view, we are moving away from relative certainty where an individual gives informed consent during their lives, which guides families and doctors when making difficult decisions on whether to donate,

to a system of uncertainty, where families and medical professionals cannot be sure.

As I said earlier to Mrs Dobson, although donor cards can be overruled by a family, they at least prove that the individual made a positive act during their lifetime to express consent, and they give families comfort in that they know what the wishes of their loved ones were.

### 5.00 pm

I am also an unapologetic supporter of limited government and hold the view that the state should not get involved in every aspect of our lives. It could be argued that the Bill effectively — I listened to Mrs Cameron's contribution earlier — gives ownership of our organs to the state unless we specifically register to object. Even if people dismiss that argument, what cannot be dismissed is that, through the Bill, the 108 Assembly Members will decide that someone living in Northern Ireland has given their consent to donate their organs. I do not think that I, or any other Member, should consider it morally or ethically right that we take that decision for people. Many patient groups across the United Kingdom have also expressed their opposition to deemed consent on those same grounds.

Katherine Murphy, director of the Patients Association, said that it is not a decision that the Government can make on behalf of people. Further ethical difficulties arise when we consider other issues. I talked about people who may lack capacity to make decisions, and I point to the Mental Capacity Bill and the deliberations that we have had in that forum. Will they be supported to make a decision, and will they be asked their view? Can they withdraw consent at a later stage? Other questions have been asked before, such as: how can a child give their consent? Do they have the maturity or the capacity to give consent to organ donation?

An opt-out system is also impractical in an increasingly multicultural society because cultural and religious objections to organ donation are also important. I do not want to labour the point, but certain religions do not believe that organ donation is in keeping with their beliefs. How does the proposer of the Bill intend to allay concerns about cultural and religious sensitivities? Of course, the Human Rights Act allows a person to practise their religion, so would the Bill potentially cause a difficulty with the Human Rights Act? Would article 8 be invoked? Again, I ask the mover whether she is satisfied that the Bill would not be open to successful legal challenge on those grounds.

**Mr Agnew:** I thank the Member for giving way. He asked a question. In the countries covered by the Human Rights Act, and where there is an opt-out system, has there been any evidence of successful legal challenge?

**Mr Ross:** As the Member will acknowledge, every Bill is drafted differently. We need to ensure that anything that we draft and pass in the Assembly is compliant. We need to satisfy ourselves of that. I am aware that some eminent lawyers suggested that the Welsh legislation could be open to successful legal challenge. In the end, the Welsh Government decided to ignore that advice, but I am aware that that advice was given. I suppose that, ultimately, until these things are challenged in the courts, we will not know.

The proposer of the Bill also talked about safeguards being built into the Bill. I acknowledge that she has ensured that there are certain safeguards in it, but, as I said earlier, it misses the point to some degree, because, irrespective

of the safeguards in it, the Bill deems that every adult in Northern Ireland has given their consent without ever asking them. That is the area that I have major contention with. If 90% of people in Northern Ireland, or across the United Kingdom as a whole, support organ donation, it should not be too difficult a task for us to increase organ donation numbers. A failure to do so may, in fact, prove to be a lack of effort. I mentioned earlier the success that the Department and the PHA have had in recent years in increasing public awareness and boosting the number of people who have voluntarily signed up to the organ donor register. That is why I come to the view that we do not need legislation in this area at all and that there are other things that we could do to improve the situation in Northern Ireland.

As I have already acknowledged, whether I support it or not, the Bill will in all likelihood attract the support of the House at Second Stage and move on to Committee Stage. If it does move into Committee Stage, there are a number of areas in the Bill that I think the Committee would need to look at quite closely. I want to detail some of them.

Clause 1, "Duty to promote transplantation", places a duty on the Department to:

*"(a) promote transplantation,*

*(b) provide information and increase awareness about transplantation, and*

*(c) inform the public about the circumstances where consent to transplantation*

*is deemed to be given, and the role of relatives and friends in affirming*

*that deemed consent."*

Leaving aside the issue of friends, which I will return to, I would say that, generally speaking, most people will see that clause as being uncontroversial.

The Department will also be required:

*"to promote a campaign informing the public at least once a year",*

with regard to the proposal to introduce deemed consent. The objective in that clause should not be controversial. It is hard to see a downside in the Department being required to promote awareness of transplantation, particularly given that it already does some of that work, and the PHA is already doing that work in Northern Ireland. If a presumed consent system is introduced in Northern Ireland, it will certainly need to be advertised and allow individuals to make an informed decision with regard to their organs.

However, issues do arise from the wording of clause 1. It may seem like a minor point, but there is difficulty around the Department promoting transplantation rather than simply awareness of transplantation. Some may argue that that is moralistic or paternalistic rather than raising awareness to allow people to make their choice. The Committee may wish to consider that.

The Bill is not clear on what the role of relatives and friends in affirming deemed consent should be. In a letter to MLAs today, the BMA recorded concerns around that as well. It could be difficult for the Department to be clear with



the public as to the role of their friends and relatives. As I said, the last thing that we need in regard to the sensitive issue of organ donation at the end of life is in any way to create confusion.

Clause 1(2) states that the Department will be under:

*"a duty to promote a campaign informing the public at least once a year."*

Whilst that seems to be a sensible approach, the Bill is not clear on what constitutes "a campaign". It could range from as little as sending out a departmental press release to local newspapers to as much as a broadcast advertising campaign. If the legislation does proceed, the Committee will want more clarity around that.

We could draw a parallel with section 15 of the Human Trafficking and Exploitation Act, when the Department of Justice just sent out a press release, believing that it had thereby met its obligations to alert the public to a change in the law. While some Members may argue that that is a less important issue, it is relevant to look at what the Department of Justice thought was adequate to be a campaign. We should ensure that the Department of Health would have a much more sustained information campaign than simply sending out a press release.

Should the House pass the Bill, it is my belief that every citizen who is by law considered a willing organ donor by virtue of deemed consent should be made aware, at least once a year, that they are on the list, if we are to avoid confusion and potential difficulties in the event of death. My preference is that we do not have a deemed consent system, but if it is the will of the House that we should, it is important that on an annual basis every citizen is made aware that they are on that list and told how to opt out if that is their preference.

Another point mentioned by a few Members, and it is not the primary point but it is a significant point, is the costs associated with the Bill. The potential cost of the duty to promote is not mentioned; it is described in the explanatory and financial memorandum (EFM) as "limited". The bigger cost is implementing the new system of donations. The EFM provides some detail on that. According to a research paper produced by RalSe in November 2013, which does not appear to be publicly available, the:

*"indicative estimate of implementation costs of introducing the proposed legislation is between £2,081,000 and £5,149,000".*

It would be helpful if that document was made publicly available to allow us to examine the figures outlined and to understand some of the assumptions within that calculation. For instance, do the figures include the cost of IT systems, assumptions on how many organs will stay in Northern Ireland, and what variance has been taken into account should assumptions change in the values assigned to the quality of life index? All those were factors considered by the Welsh Assembly when considering similar legislation a few years ago.

Clause 4, the most controversial aspect of the Bill, around deemed consent, requires incredibly close and careful scrutiny. As I said, it is interesting that the BMA, which had supported Mrs Dobson in her efforts to introduce a soft opt-out system, has expressed concerns around how it has been drafted. This is also the part of the Bill that clinicians

in emergency medicine and renal units have expressed concern over.

As I have said already this afternoon, my fundamental objection to the clause is based on the ethics of changing to that type of system. It would, in my view, see the state going beyond its rightful place. Deemed consent is, in my view, not consent at all, and, in an area as sensitive as what happens to your body when you die, it should be the case that affirmative assent is required or at least sought. I find it somewhat concerning that other Members do not seem to be so concerned about moving away from a system that requires actual consent to one that does not.

It is also important to note in clause 4 the potential for a backlash if citizens believe that the idea of organ donation as a gift is eroded if deemed consent is introduced. I noticed that, on a similar clause in the Welsh Bill, Dr Peter Matthew, who is a consultant in intensive care in Swansea, said to the Health and Social Care Committee:

*"My own experience is that the British psyche has a particular view that what it should do is donate organs as an altruistic gift, and if it is felt that the state is going to take over the organs, then there is the potential that people who may have been willing to become a donor will not do so. We have seen two cases in Morriston where patients who were on the organ donation register, on hearing about this, said to their families that if the state was going to take their organs, they were no longer willing to give them. We lost two donations because of that. So, there is a potential backlash."*

Those are not my comments but those of Dr Peter Matthew. A number of Assembly Members in Wales noted that they had received many letters from constituents who had made a decision to take their name off the organ donor register when the legislation was going through the National Assembly. Again, it is very much the case that members of the public are perhaps not fully aware of what "deemed consent" means. I am concerned that, until there has been a full review of clinicians and the public, we should not have the confidence to say that they do.

The clause also assumes that a change is needed, when the percentage of the population registered as donors has consistently risen since 2008. That is a point that I have previously made. Of course, the work of Professor John Fabre will be of great value to the Committee in determining whether clause 4 is beneficial.

I made the point that many countries across Europe and, indeed, the world operate an opt-out system, including Estonia, Austria, Slovenia, Norway, Italy, the Czech Republic, Finland, Latvia, Sweden, Poland, Switzerland, Slovakia, Luxembourg, Greece and Cyprus, all of which have a poorer record of organ donation than we have. I am not necessarily saying that introducing the legislation will result in a poorer rate of organ donation, but I do make the point that there is no clear evidence that an opt-out system is a driving factor in promoting organ donation.

The clause will also require quite a significant amount of investment to be made. It is a matter of debate, and the Committee may wish to consider whether the amount of money spent on servicing the system would be better spent on the public awareness campaign and whether that

could have a greater benefit to promoting organ donation in Northern Ireland.

I also have questions around what is considered "reasonable", as is stated in clause 4 where it talks about contacting those who are in a qualifying relationship. Again, what is a reasonable thing for clinicians to do is something that we have looked at with the Mental Capacity Bill, and we need some certainty on that. One of the other areas that I have concern around with the clause is that so much information is to be left to codes of practice. In other Bills, we have consistently said that such important issues should be in the Bill, not left to codes of practice. That is something that the Committee may also want to look at.

Clause 5 is about express consent. The Bill proposes to follow the example of the Welsh legislation regarding "excepted adults" by stating that, if an individual dies:

*"who had not been ordinarily resident in Northern Ireland for a period of at least 12 months immediately before dying"*

their consent cannot be deemed. The same goes for individuals who are judged to have:

*"lacked capacity to understand the notion that consent to transplantation activities can be deemed to be given."*

However, it is not clear how the law would treat individuals such as international students and armed forces personnel. At present, around 8% or 9% of students at Queen's University are international students. Most students at Queen's take degrees that last three or more years, so an example would be, if we had a Malaysian student at Queen's taking civil engineering, he or she will be in Northern Ireland for a period of three years for the degree but is unlikely to be there continuously for those three years. During the summer break, the student may decide to return to Malaysia before returning to Queen's for the autumn term.

If they return to Northern Ireland and, sadly, pass away, are they to be considered ordinarily resident in Northern Ireland and therefore deemed to have consented, as provided for in this Bill? Similarly, a member of the armed forces may be in a foreign military base for most of the year but resident in Northern Ireland. I seek clarity on how they are to be dealt with under this legislation.

#### 5.15 pm

Clause 6 deals with express consent of children. I have some concerns around that and clause 7. Clause 6 allows children to expressly consent to donation of material covered under clause 2 while alive or after death as a child through their own consent, if considered capable of making such a decision as provided for in clause 18(3), or by appointing a representative. Clause 7 allows a child to expressly consent to transplants involving excluded material, to be defined in future regulations. Of course, leaving such matters to regulations is of concern from the scrutiny point of view. Organ donation by children is a controversial subject that needs much further discussion. In particular, how will a child be judged competent to give consent and understand exactly what it is they are consenting to? As I have mentioned on numerous occasions, members of the Ad Hoc Joint Committee on the Mental Capacity Bill will be well aware of the issues

connected with the ability of children to give consent to medical operations. The lack of consistency in the approach by some members of that Committee today has not gone unnoticed.

Clause 8 deals with deemed consent in activities involving material from living adults who lack capacity to consent. It proposes how to deal with the consent of a person who has died but did not have the capacity to consent to the donation before death and requires a third party to provide consent for the person. Clause 8 allows the law to deem consent for such individuals while they are alive in circumstances of a kind specified by regulations made by the Department. The explanatory and financial memorandum says:

*"there may be circumstances where it may be in the best interests of a person incapable of giving consent, to donate material to a living relative."*

However, there is no indication of the type of circumstances that may be considered applicable, as there is in clause 7(3), nor is there any explanation of why this might be in the individual's best interests. Most importantly, there is no safeguard on who can agree to such a donation. I am concerned that vulnerable adults who cannot consent should have the full safeguards of the law, and it is not clear that they do under this clause. I am not reassured by regulations made under a similar clause in the Welsh legislation, stating that the adult who lacks capacity:

*"is deemed to have consented to the activity where the activity is done by a person who is acting in what they reasonably believe to be P's best interests."*

There is no further clarity on the person who can make this decision. Again, I draw a parallel with the Ad Hoc Committee and the questions that we raised on best interests. I fail to see how it can be judged to be in an individual's best interests to donate their organs without consenting. It would, of course, be in the recipient's best interests, but I think that Mrs Dobson may wish to explain to the House how it could be considered in the donor's best interests when consent has not been established. It is something that I was a little bit confused about when reading through the Bill.

Clause 10 talks about the qualifying relationships. It sets out the type of people who can provide express consent to organ donation. This clause is based on section 27 of the Human Tissue Act 2004, which sets out detailed instructions on how this should be interpreted. For instance, are those at the top of the list ranked higher than those at the bottom?

**Mr Lyons:** I thank the Member for giving way and for the breadth and depth of his evidence. He has certainly brought more than anybody else, and it has been very helpful indeed. I also have concerns about qualifying relationships in clause 10. Does the Member share my concern that the Bill very clearly defines what a partner is, "for the purposes of this Act", but does not define a "friend of long standing"? Instead, this will be left to the code of practice.

**Mr Ross:** Yes, I have made the point about the difficulties created from a scrutiny point of view of leaving things to the code of practice. Indeed, Committees that I have sat on are continually having disputes with Departments about leaving things to codes of practice, bearing in mind that

you cannot amend them; you can simply accept or reject them. I have not come across the notion of a friend of long standing in any other legislation. How would we ever determine what a friend of long standing is?

There are also questions about how a nurse or doctor in a trauma unit would determine how to establish who a "friend of long standing" is in order to contact them to ask them whether to proceed with an organ donation. That is an area that the Committee would undoubtedly want to investigate more thoroughly. I think that it is an odd phrase to see in a Bill. Even though the Member says that she will leave it to regulations, there would be huge difficulties in determining what a "friend of long standing" is.

I think it would be important to see whether, in that list of qualifying relationships, the ranking order could be made under the code of practice, as proposed in clause 10(4), rather than in statute. I question whether any legal weight is given to the order of ranking. Again, I draw a parallel with the Mental Capacity Bill, where we received advice that the order of ranking makes no legal difference at all. That would be particularly concerning, especially given the point that my colleague, Mr Lyons, has just raised, that, if there was no legal difference in the ranking, then, potentially, a "friend of long standing" would be the first person who could be contacted. Given the difficulties that there would be in establishing exactly what that relationship is, how close that relationship is or what kind of knowledge that person had of the individual, I think it would cause some concern.

Clause 14 refers to an annual report on transplantation. Again, the Bill sensibly requires an annual report on transplantation to be introduced. It requires the Department to include in the report, of which there will be at least one every five financial years, its opinion on whether the Act had been effective in promoting transplantation activities and any recommendations for amending the law so as to promote transplantation activities. I suggest that consideration should be given to making the interval under clause 14(3) three years rather than five. Then, should the Bill be passed and make little or no impact, it could be repealed within a fairly short period of time.

Clause 21 refers to commencement. It is important to note that the date of the commencement of the new system is proposed as 31 May 2018. This suggests that there would be a two-year period of preparation before implementing the Bill. Given the very real concerns about it, and its impact on the ethical questions I have raised today, I would prefer to see work commissioned by the Department that would consult with clinicians directly impacted by the law in order to establish whether they would be comfortable working in this new legal framework before the Bill is enacted.

Members have referred to the consultation process that was carried out, but any consultation that has been carried out has been in absence of the Bill. It has been very difficult to get a draft copy of the Bill over the past number of years. We have talked about broad concepts but we have not seen the detail of it, so I think that consulting in the absence of the wording shows a shortcoming in the consultation process. I think that it is important that doctors can see the detail and that we should specifically ask them about how they feel about the proposed changes

to the legal framework in which they would then be required to operate.

It is easy for people to dismiss concerns expressed about the Bill as being politically motivated, or simply say that the Bill is about saving lives and that anybody who opposes it is not interested in doing that. It is my firm view that the Bill will fundamentally shift the relationship between the state and the individual. It is my firm view that the Bill, and what it is trying to do, is unproven internationally, is potentially counterproductive and unnecessary, and, worst of all, moves us away from the well-established need for actual, informed and expressed consent before carrying out a medical procedure on an individual. The lack of consent that the Bill would legislate for makes me deeply uncomfortable and requires me to vote against its passage at Second Stage, because the principle of the Bill is about moving towards deemed consent.

I appeal to Members to detach themselves from the powerful emotional arguments we have heard previously in this debate and consider the fact that, by passing the Bill, a person would no longer need to give their consent for them to be considered in law as a willing organ donor.

I will finish by once again quoting Mrs Dobson speaking in a previous debate on promoting women in politics. She said:

*"we need to inspire change and not to force it." —  
[Official Report (Hansard), Bound Volume 93, p12, col 2].*

Anyone who reads or listens to the extraordinary stories of people who have donated their organs, or who have had loved ones donate their organs on death, and saved up to six other lives, or anyone who have benefited from such an amazing gift of life, could not fail to be inspired.

Let us not move away from the concept of organ donation as a gift. Let us inspire others to give the gift of life by making a decision on whether they wish to donate their organs and help others. Instead of looking to pass legislation on the issue, let us work together to promote the real drivers of organ donation, namely increasing public awareness of organ donation and ensuring that we have the specialist transplant coordinators in every hospital across Northern Ireland.

I appeal to Members, particularly those on the Health Committee, to look at the evidence, get beyond the notion of whether countries operate an opt-in or opt-out system and look at the real drivers for promoting organ donation across Europe and the world. If members of the Health Committee do that, it is my belief that they will quickly come to the conclusion that the most important factors in promoting organ donation are public awareness and having transplant specialist nurses in hospitals who are specially trained to recognise potential organ donors and deal with families in particularly difficult circumstances. If they come to that conclusion, they will also come to the conclusion that we do not need legislation on this issue; we just need a Health Department focused on delivering those changes. I think it is absolutely in our gift to do that.

I hope that, despite perhaps discussing the issue at length, I have injected some form of debate and some level of scrutiny into this Bill at Second Stage. I hope that Members will take those concerns genuinely and have a rational and balanced debate about whether the Bill is the

most appropriate way in which we in Northern Ireland can boost organ donation rates.

**Mr D McIlveen:** I welcome the opportunity to speak on the Bill at this stage. I will try to speak briefly. Like others, I want to congratulate the sponsor. A tremendous amount of effort goes into drafting, formulating and consulting on a Bill. There is also a lot of pressure and stress when you find yourself on the other side of the Committee table. Therefore, I want to commend Mrs Dobson on her work. I note that it is obviously inspired by personal circumstances as well. I know that she has been a very effective lobbyist on the issue, and I commend her on that as well.

I want to start by saying that I am on the donor list. I have been for over 10 years, I think. Admittedly, my organs may not be as healthy as those of some of my colleagues. I think particularly of my good friend, Mr Wells, who has left, with the meat-free, alcohol-free, every-pleasure-free lifestyle that he leads. Unfortunately, I do not think I could fall into that category, but I did make that personal choice some time ago. Therefore, whilst I do have sincerely held, genuine concerns about the potential road that that particular approach to the legislation could take, in a desire to see a significant increase in donors way beyond where we are at the moment, I stand entirely shoulder to shoulder with Mrs Dobson and with everybody in the Chamber in wanting to achieve that outcome. My concern, however, is just around how we actually get to that point.

Of course, on the surface, I guess the Bill looks like a no-brainer. We should all be dancing out the Yes Lobby to try to support it if it is to achieve what we believe it is designed to achieve. However, when we start to look at it in more detail and unpick the potential consequences of going down this particular road, whether we call it presumed or deemed consent, I think we have to be much more cautious about how we actually get to that point. I know that it has been mentioned already, but I am yet to be convinced, or have anybody on the other side of the argument convince me, that there is any precedent set in any part of the public service where a split-second decision like this — something that is so important to people and that obviously raises big ethical issues — can be done on the basis of silence meaning that it is assumed.

It is a principle that continues even when you look at issues beyond health. If someone pleads guilty in a court of law to a crime, there is not an assumption that they are guilty; they will be given a trial and the evidence will be interrogated. It is quite likely that, if someone pleads guilty to a crime, they are most likely guilty of that crime. However, my point is a general one, in that, on that basis, there is not an assumption of guilt.

### 5.30 pm

If someone does not have a will, it is not assumed that whatever is left behind will go to one particular person or another. A very long process is undertaken and gone through with publicity, publication and probate to ensure that, as best as possible, the desires of the person who has passed away are taken into account. As politicians, we do not assume that the decisions that were made at the last election are the decisions that people will always want to make. We have elections every three, four or five years. There is an assumption that people's minds will change,

that people will have different views, and that the views of today may not necessarily be the views of tomorrow.

I opened by saying that I am on the donor register. However, for many years of my adult life I chose not to be. At some time in my future life, I cannot rule out deciding that I want to be taken off it again. That is how life is: sometimes we change our views. In politics, we are often castigated when we change our minds — it is called a U-turn — but that is life. People change; people change their views and have different ideas as they grow in experience. That is extremely healthy.

An issue raised by the sponsor of the Bill equally needs to be looked at. In the health service, if someone is sectioned under the Mental Health Act, it is not a simple matter of that person being sectioned in a split second. A process has to be gone through, and the person who has been sectioned is given an opportunity to challenge. Therefore, it is not assumed that that person is in need of being sectioned under that piece of legislation.

I can think of an instance — it could be over 10 years ago — of a little baby who was abandoned and subsequently and tragically lost her life as a result. There was considerable controversy because an assumption was made by the state about what type of burial that child would have — there will always be people on the other side of the argument who will say that it was the wrong one. To over-trivialise the issue and to assume that this is a very simple approach, and that you can up organ donations as a result of presumed or deemed consent takes away from the very deeply held and sincere opinions of many who believe that it should be looked at in a different way.

I do not accept that the opt-in approach has been fully exploited. I do not accept that every effort has been made by Government to ensure that people are given that very important choice — a choice that I urge anyone to make — that they are on that list so that people can benefit from those organs whenever they leave this scene of time.

We now live in a world where forms and bureaucracy are just the order of the day. We are well used to it. Whether it is to do with filling in our passports, driving licence, pension credit forms, HMRC forms or social security, there is a plethora of publicly published forms that every person, no matter what their age or walk of life, will find themselves engaged in and having to sign. I do not see any reason why we could not look at an approach such as that first, before we veer into territory that has an extremely difficult ethical question for us to answer. I would much rather not be in that position.

I am not motivated really by faith when it comes to this particular issue. I take the view that when it comes to what happens to our bodies after we are gone, it is probably well worked out by a much higher hand than mine. Therefore, it is not a motivation of faith that brings me to this position. However, it is a motivation of caring about what the state has control of, and of caring about the state assuming that, because I do not do something or my constituents do not do something, I and they are consenting to something else. I find that deeply troubling. It is something that we should all be aware of and something that, I think, we should all interrogate as thoroughly as we possibly can.

The fact is that the issue of affirmation already exists. Therefore, I do not see affirmation being the safeguard



that is required to make this a good piece of legislation. In fact, quite honestly, I would have no difficulty about having a proper debate around the issue of affirmation in itself. I have considerable difficulty and would be extremely vexed — I have had this conversation with my next of kin — if my next of kin were to come along in the event of my death and say, “Well actually, his wishes are not my wishes, and therefore I am going to stand in the way of his organs being donated”. I have considerable difficulty with that. I believe that, so long as my decisions are made sincerely and with a sound mind, they should be honoured. Therefore, the issue of affirmation is something that, should a better piece of legislation be brought to the Assembly, we could perhaps look at in a lot more detail.

I want to touch again on the issue of the split-second nature of this. I think that this is where there is a difference and we do need legislation. We have often heard it said on issues as serious as this that you do not need to legislate; that you should maybe look at guidelines or something that will make things a little bit easier. To be honest, I do not see anything other than legislation dealing with this issue once and for all. That is because, ultimately, we are dealing with a split-second decision. This is unlike a court process or the issues that I listed before, where time is given. This is a split-second decision where a family member, as we stand at the minute, can decide to consent or not consent to the donation of organs. Therefore, I think that legislation is probably the best way to deal with that.

In summary, to opt out presumes that we know the time of our death. The fact is that we do not. I do not know what will happen to me as I drive back to North Antrim tonight. None of us knows what will happen as we drive back to our constituencies. Under this legislation, should it go forward, had I not got round to making my true feelings known about whether to opt out or opt in, an assumption is made that, regardless of what happens to me tonight, I consent to my organs being donated. Yes, my family has a veto, and I understand that. However, this is not about my family; it is about my wishes as an individual. This is about my choice, as an individual. Therefore, I have considerable difficulty that, in the event of my life being cut short, this state — this Assembly — has made an assumption of what my desires are. I find that deeply troubling, and I have considerable difficulty dealing with it.

I desperately want to support a Bill that will help deal with the issue, that will help increase awareness and that will help to get more people on the organ donor register. I genuinely do not believe that this Bill is the way to do it. Therefore, I am asking the sponsor and the Minister to look at a more progressive way of dealing with this. This is punitive; this is going to the very last resort first. If we go through a process where opt-in is made similar to the Spanish model that we have heard a lot about today, and if that is given a try and we find that in one year, two years or however long it has to be gauged, that we are in a position where it has made little or no difference, then, yes, let us bring it back and start having a discussion about what else we can do. However, as far as I am concerned, presumed consent is the last chance saloon. It is the place that you get to if all other options have failed and, even then, it is still going to cause an ethical issue. However, we are not at that point, and we have not exploited the other options that are open to us first of all. Therefore, I appeal to the sponsor and the Minister to get back round the table and see whether a more simple, a more effective and a

more ethically neutral position can be found to bring the outcome that we all want to see.

**Mr Poots:** I, too, will be brief. It is an important subject, and I welcome the fact that we are having this debate. The motivation behind the Bill is good and the principle behind it is soundly based. Is it the right legislation? I very much doubt it. I think that, even if you were to accept the principles of the Bill, it would require substantial amendment, and I accept that, in fairness, that is what the Committee would and should be doing. Do I think that the actual principle of the Bill is right? At this stage, I am not convinced. We need to proceed very carefully and with extreme caution on this hugely sensitive issue.

In Northern Ireland, we have an excellent record on organ donation, both live donation and deceased donor donation. Many people in other parts of the United Kingdom are quite envious of the willingness of people in Northern Ireland to donate their organs. We are privileged to have one of the best kidney transplantation teams in the world. It was reported recently that a record number of transplants was carried out here in little Northern Ireland in one day; I think that it was six, equalling somewhere in the United States — five — and that is a demonstration of the fantastic people that we have, the skills that exist and the ability of Northern Ireland to do this really well. That goes back to the days of Professor McGeown and Dr Douglas, who started off organ donation. Indeed, my uncle received his transplant from him very many years ago.

We can be very proud of what has been achieved and what is being achieved. Therefore, if we are going to radically change that, we need to be very cautious that we are doing the right thing, not just that we are doing it for the right reasons, because that is not in contest here.

#### 5.45 pm

One of the reasons why I wanted to speak in this debate, albeit briefly, is that I was particularly struck by something when I was Health Minister. We held a full-day session on organ donation at the MAC a couple of years ago, and we had all the key players there. The closer you get to the intensive care units and the medical people who are dealing with individuals and families who have a tragedy on their hands and have to deal with death, the less inclined they are to go down this route. They are very clear about that.

In the Belfast Trust, we have six specialist nurses for organ donation (SNODs) who are available at all times to be called upon when it is evident that someone is going to die. Those nurses have immense expertise in very carefully going through a process with people who are in the midst of the most awful grief, steering them through that process and encouraging many of them to willingly have organs donated. Those nurses cherish their ability to deal with people in a pastoral way, a caring way and a way that puts the family at the centre of the decision-making process for their loved one. Those specialist nurses indicated to me that they did not want this tool, which was seen as the big state stepping in and saying, “These organs really belong to us anyway, so we are just going to move in here.” That is not how they want to do it, and it is not how they believe they will get the best results.

I accept that the motivation behind the Bill is good. We all want to see people's lives saved. I always find it

remarkable that there is a much greater willingness among people to receive organs than there is to donate them. I do not understand why people cannot step up to the plate and say, "If I am happy enough to receive someone else's organ if I needed it, I should be happy enough to donate my own." However, it is absolutely critical that all we do is done in a very measured and very thoughtful way and that we do it at the appropriate time.

My fear is that this legislation will go to the Committee and that, in the very short space of time that is left of this Assembly, we will have the potential for rushed legislation. Rushed legislation is seldom good legislation. When it is dealing with something of this nature and capacity and will have a massive impact on people who are going through the trauma of losing a loved one, very often in circumstances that they could not have anticipated, we need to be hugely cautious about what we do. It is easy to do something in this Chamber. Walking through one of those Lobbies is not difficult, but when you are sitting in an intensive care unit or another specialist area of a hospital and you are one of those nurses dealing with a family that is in the midst of a grieving process, it is different. You would do well to pay a lot of attention to what they have to say.

I urge the Assembly to be extremely cautious about what it decides to do, either today or at a later point. We need to take our time and get this right. We will have a new mandate come May, and it is important that we ensure that we do the right thing for the Northern Ireland public. We all want to see more lives saved. Just let us make sure that we get it right.

**Mr Agnew:** I congratulate the sponsor, Mrs Jo-Anne Dobson, on getting the Bill to this stage. Having just finished the process of a private Member's Bill, I know about the challenges and the frustration with drafting. I have not spoken to Mrs Dobson about that specific aspect and the challenges she may have faced, but I certainly found that to be the most frustrating part. Having the idea is fairly simple, as is, to some extent, defending it to the House, but getting the idea from concept to fruition and bringing forth a piece of legislation is challenging. Indeed, going through the stages of the House and getting the legislation right is challenging. I welcome the fact that Mrs Dobson acknowledged that, where the Bill can be improved, she will work with others. I had to do that with my Bill. Some almost used it as a criticism against me. They said, "Well, this Bill's significantly different at Final Stage than at Second Stage". I think that it is a strength, rather than a weakness, of a piece of legislation that it is worked and reworked until it is right. Of course, a group of people working together is going to produce a better piece of work than an individual working alone. In most instances, that is going to be the case.

Mrs Dobson reminded the House that it is Green Party policy to support the soft opt-out option. That is what I rise to do this evening. Organ donation is one of the wonders of modern science. Innovation in health — what can be achieved and what human beings have managed in terms of treatment and keeping people alive — never ceases to amaze me.

The term "gift" has been used. Organ donation is indeed a gift. It is one that I have chosen to opt into in our current system. I would certainly be happy to have the provisions of the Bill applied to me. I am also proud to be a platelet donor. My partner, in the birth of both our children, required

platelet transfusions. I thank those who chose to donate platelets for their generosity; they helped to ensure that her life and the lives of my children were protected. With blood donation, platelet donation and organ donation, there is the ever challenging issue of keeping the awareness there and keeping the issue in the public mind to ensure that donors take time out of their busy lives, in the case of living donation, and are sufficiently aware, in the case of deceased donation, to, in advance of death, make that aspect known.

We have seen from the sponsor's consultation, the Public Health Agency polling and the UK-wide polling, the level of support out there for organ donation. Whilst I accept that there is not a direct correlation between supporting organ donation and being a willing donor, I think that there would be a strong correlation between them. That is some of the basis on which I support the legislation.

I first raised the issue of a soft opt-out system — and I was checking the date — exactly four years ago today in a question for written answer to, as it was then, Minister Poots, asking what consideration had been given to such a proposal. It was in the context that the Welsh Assembly was considering the issue. I was hopeful at that time that legislation would come forward from the Department. That, obviously, has not been the case. I welcome the commitment of the Member to bringing it forward in the absence of progress from the Department on the way forward.

My personal connection to it is through my relationship with one of my constituents, William Johnson, who will be known to Mrs Dobson. He has campaigned tirelessly to promote organ donation. He spent the best part of a decade on dialysis, but has, thankfully, received a successful transplant and is experiencing the benefits of that. For many years, he was — I was going to say the word "frustrated", but in fact I never knew him to complain — but he was one of those people who, in the absence of an available organ, had to suffer the lesser quality of life of having to live on dialysis, without receiving a transplant, until recently. When it comes to the Bill, the key question has to be: will it work; is it effective? There have been differing interpretations of the evidence.

I come now to some of the points that Mr Ross raised. If we are convinced that we have the evidence that it works, then, in my view, the end does justify the means. I have listened to the Member's concerns, but I am not compelled that his fears about the role of the state in any way negate my desire to see more lives saved through an opt-out system, if the evidence is available that the opt-out system will increase donation. Mr Ross has questioned that evidence.

I looked to the evidence of Shepherd et al, from 2014, which concludes that countries that have an opt-out system across the board have a higher donation rate than those that have an opt-in system. The evidence also suggests that the opt-out system alone is not enough to ensure greater donation. Whilst the correlation suggests that the opt-out system will lead to increased donations, on its own it is not sufficient to maximise donation. I await the Health Minister's response, but I urge him to support not just the legislation, but the other areas of best practice that are required to maximise the benefits of the legislation, because I think the legislation is part of —

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

**Mr Agnew:** Certainly.

**Mr Ross:** If the Member is encouraging the Minister to look at the areas of best practice, that will be Spain and the United States of America. Does he accept that neither of those countries use presumed consent? So he is actually asking the Minister to move to a system where we will not have presumed consent and where we maintain the voluntary opt-in system, but where we have greater public awareness of the issue and specialised nurses in hospitals. Those are the two drivers that have evidence from around the world, rather than moving towards presumed consent.

**Mr Agnew:** I thank the Member for his intervention. I referred previously to the evidence that, when taken in the round, the correlation is that countries that have the opt-in system perform better than countries that have the opt-out system. Whilst there may be countries that are doing other things that have improved organ donation — the Member mentioned some of the areas, such as the speciality transplant nurses — that does not preclude an opt-out system. The two can go hand in hand.

Looking at the evidence, I very much believe that the — I better make sure I get my terms the right way round — opt-out system is beneficial, but, on its own, it is not the silver bullet; it on its own will not achieve everything. We should look at the examples of best practice and at countries where things are being done well, regardless of whether there is opt in or an opt out, and replicate the other areas as well as the soft opt-out system. My interpretation of the evidence is that it increases the likelihood of positive outcomes in organ donation. I think that that has to be the approach. I do not think for a second that we can pass this legislation and say, "Problem solved. We have a queue of donors; we will no longer have a deficiency of supply."

We need to look at the other areas. One of the most important things is to ensure that quick decisions are made and that organs are properly preserved, transported and maintained. This is one part of the picture, but it is a positive and significant part of how we improve in this area.

## 6.00 pm

Looking at the best evidence — and promotion was raised — we still need to ensure that families know the will of the individual. That does not go away. We need to ensure that the pastoral care that Mr Poots mentioned is still there. Families will be no less grieving whether we have an opt-in or an opt-out system. The Bill does indeed empower the family; it keeps a degree of power and say with them. I know that there will be some debate about what that should look like. One of the key parts of the Committee scrutiny and amending stages will be to ensure that we have that aspect of the Bill to balance deemed consent with the views of the family. We have to ensure that we get that right.

It is not simply a matter of, "Pass this legislation and problem solved": we still have to be diligent, promote the legislation and raise awareness. We still need that conversation. Indeed, as Mr Ross highlighted, Mrs Dobson's bringing the Bill forward has increased awareness in and of itself. I go back to my own Bill: I know the frustration with the time that it takes to get to this stage. The advantage is that awareness of your Bill is now greater

because of the time that it has taken; the time that there has been for discussion, media interest and debate in the Committee and in the House. That is all positive. Indeed, should the Bill be passed, as I hope it will, the two-year lead-in time will allow for that debate to take place and public awareness to be raised. Those are all necessary pieces of the jigsaw.

Figures have been discussed, so I will not go through them, but it is clear that there is support for organ donation. It is clear that the vast majority of people support it. Unfortunately, the vast majority are not on the register. That is a discrepancy and a problem that the Bill will go some way to tackling. Mrs Dobson's consultation has had a positive response. Previous polling indicates that there is positive feeling towards this type of legislation. The Committee consultation will further tease out the evidence, so, by the time the Bill makes its way through the House, it will get significant public attention and will be an opportunity for the public to articulate its views.

As I say, the legislation will not fix the situation overnight, but it will create an opportunity to build on the good work that we have already done on organ donation, enhance it and make Northern Ireland a leader in organ donation rates. That is the opportunity. It requires the legislation, the goodwill and dedication of the Minister and his Department, and that public awareness campaign. Collectively, those things provide us with a tremendous opportunity that, I hope, we will not let go to waste.

**Mr McCallister:** I am long on record as advocating this type of approach. I would like to begin by congratulating Mrs Dobson. I know the huge volume of work that goes into bringing a private Members' Bill in normal circumstances, and one with as many challenging issues as this Bill is particularly difficult.

Of course, as with every piece of legislation, Members have quite rightly used the usual tactics of trying to kill it by saying that it might not be compliant with human rights or that the Welsh were advised against it but ignored it. All those arguments will be made against the Bill, as we have already heard today.

In raising the issues, the Bill and the debate — not only the debates that Mrs Dobson has had over the past few years as this policy has been developed but the publicity and the public debate — have been to the good. Strangely, one of the key issues — other Members have alluded to it — is that, when you have consented to donate your organs, your family can overrule that consent. It is about having the debate here, but it is most important to have that discussion at home with your family to make sure that there is absolutely no doubt about what your wishes would be.

Of course, like many colleagues here, I have met constituents and know constituents very well who have received donations or are organ donors. I know families who have been in those very difficult circumstances, and I know that it brought them some modicum of comfort that their loved one was fit to bring life, give life and extend life to others in what can only be the most horrendous circumstances that anyone would ever face.

The publicity and the debate and having that discussion around dinner tables at any time about what people's wishes would be are hugely important. That is why public debate is important. Were the Bill not to be amended in

any way, it would probably be the only Bill that ever went through the House or the Committee process and was not amended. That is why I am very opposed to accelerated passage when Ministers propose it, because there is an expertise at times that the Committee can tap into and use to tease out the issues and, at times, address concerns. It will not address all the concerns that Mr Ross has expressed, because he is opposed to the principles of the Bill. I know, from knowing him, that his are deeply and sincerely held views. In some regards, I am probably closer to his views on the size and role of the state, but I disagree with him on this. I think that we can address some of his issues and make it easy for people to opt out.

The discussion and the publicity campaign on those issues should not just be a one-off if the Bill is successful but should be ongoing. As Mr Agnew pointed out, it is about looking at best practice around the world and not being afraid to challenge ourselves about what our Department, our hospitals and our units do. Can we improve, and can we put coordinators in place who can deal with that and help to increase numbers? Quite frankly, we lose too many organs where there is some discussion and the wishes of the family are unclear. We lose too many viable organs that could prove to be a life-saving donation to others. That is of huge regret to us all.

I do not doubt that everyone here is sincere about upping our game significantly in what we do with organ donation, and I thank Mrs Dobson for having the tenacity to introduce the Bill and to keep going with it. The Committee will work hard at it. It will get its Committee Stage, and the Committee will possibly have to work hard to keep within the six-week period. If it needs an extension, it will have to get an agreed timetable that will allow the Bill to get the detailed scrutiny required and to make sure that the process, including any amendments, changes or advice that the Department may bring, can be completed by the end of the mandate. The issue is too important for us not to make some significant progress on it. I support the Bill.

**Ms Sugden:** I support the Bill's Second Stage because the overarching principle, which we should all consider, is that it will save lives. That said, I am not fully convinced by some aspects of the Bill, and it is usually the aspects that are dependent on each other, because it almost seems that one thing has to happen for the other to be fulfilled. Therefore, I believe that it is necessary that we challenge the Bill and look at the aspects of it that we are unsure of in order to uphold its integrity moving forward. It is an important Bill, and it will affect people's lives. We have a responsibility as Assembly Members to give it the consideration that it deserves. In the legislative stages to come, we look forward to doing that.

I acknowledge Mrs Dobson's commitment: it began on the birth of her son, and she has carried it through to the Chamber. She has also instigated debate outside the House. I understand that, since the public debate in January, there have been more cases of organ donation. Even if the Bill should fall at whatever stage in the Assembly, Mrs Dobson should be proud of the fact that she has saved and changed lives.

While preparing for the debate last night, I raised the issue with my partner and we had a conversation. I made my wishes clear: I said that, should anything happen to me, I would be more than happy to donate my organs. I believe that I am on the register; I am not quite sure. I ticked that

box when I was upgrading my driving licence. I think that I have gone online, but there has been no follow-up since, so I am not sure whether I am on the register. Perhaps that is my fault, but it is assumed in my own head. Even that in itself is a problem. Should something awful happen, God forbid, and my partner is not approached and I had wanted to give my organs away, someone would have lost the opportunity to have his or her life saved or improved greatly. Mrs Dobson's proposal removes the confusion and gives another opportunity to save a life, and I keep coming back to the point that that is the overarching principle of the Bill. While I have reservations on some aspects, that is something that we should all bear in mind.

I wish to consider the public consultation on the Bill. It demonstrates that, of those who responded, 82% agreed to change the law to soft opt-out. I very deliberately said "those who responded", because I know that a Public Health Agency survey indicated quite a significant figure. I do not believe that the comparison of the two undermines the public consultation conducted by Mrs Dobson; I think that it represents the view of those who are informed about organ donation that it is the right way to go. It strengthens the case that we need to have some sort of public awareness campaign around organ donation, because the likelihood is that most people would then subscribe to it.

I will touch on some of the aspects that I am maybe questioning. I would not go as far as to say that I disagree with them, but I am certainly not convinced. Indeed, for me to move forward in supporting the Bill, I have to feel that I am convinced on these issues. Like other Members, I have looked at family consent. On one hand, I believe that the Bill will strengthen the purpose of family consent. Does someone wish to confirm for me that family consent is required by European law? I think that the Bill will reinforce that and make it stronger.

I recently read the Hansard report of Mrs Dobson's presentation to the Committee, and I would like her to clarify a point for me. Is it currently the case that clinicians are able to remove organs from deceased registered donors without the consent of family should they not be available to take the decision, for example?

**6.15 pm**

**Mrs Dobson:** Will the Member give way?

**Ms Sugden:** Yes, sure.

**Mrs Dobson:** I thank the Member for raising that point. Quite a lengthy document needs to be signed, and no clinician would ever remove organs without having that consent.

**Ms Sugden:** I appreciate the Member clarifying that for me. If it is the case that people on the organ register cannot donate their organs without that consent for whatever reason, are we losing people who are willing to donate because a family member maybe has not been available to sign that consent form? I appreciate you clarifying that for me, because it does not weaken the argument in any way. I also noted during your presentation —

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

**Ms Sugden:** Yes, please go ahead.

**Mr Ross:** I thank the Member for giving way. For anybody who wants to see a higher rate of organ donation, one



of the major issues is how you get a higher rate of family consent in a difficult position. My argument is that, with an opt-in system, at least family members have something to make a judgement on, because they have either had that discussion with their loved one, or their loved one has signed up to the organ donor register. Whilst signing up to the organ donor register on its own will not necessarily lead to an organ donation, at least the family have something solid to look at in guiding them to their decision.

My concern about moving to presumed consent, deemed consent and an opt-out system is that an individual does not have to make a declaration that they are a willing organ donor during their life; they simply do not have to do anything. Does that give the family more or less certainty when they are being asked the question? My contention and some of the evidence from elsewhere in the world is that clinicians feel that that gives families less certainty because a loved one has never made an active move in their life to say that they are a willing organ donor. In those circumstances, the Bill will be counterproductive, and that is where one of the concerns comes from. Does the Member not accept that what we want is people to give an indication during their life that they are a willing organ donor, rather than trying to move to a position where silence on the issue is somehow interpreted as consent, which will put families in much more difficult circumstances?

**Ms Sugden:** I thank the Member for his intervention. I do not quite accept that rationale, because I think that people who really do not want to give their organs should they pass away will make that clear to their family. It is a case of changing the culture and the ethos in Northern Ireland. I was quite taken by a quotation from someone who, when presenting to the Committee alongside Mrs Dobson, suggested that we should nearly make this part of the dying process, and that seems to be the case in other parts of the world.

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

**Ms Sugden:** Yes, please go ahead.

**Mr Ross:** I just want to ask where the Member gets her confidence that, by not opting out, that person has made an active decision and that they would have told their family members. There are many reasons why somebody will not have got round to opting out of organ donation. How does that give families certainty that they know what their loved one's wishes were? That is the major concern. If somebody has never been forced to make the decision in their life, it makes the family's decision much more difficult, which leads to a higher refusal rate when it comes to family consent. I just do not see where she gets her confidence that anybody who is opposed to this will necessarily opt out if they do not know how to do it or are not aware that they are on the list and all those sorts of issues.

**Ms Sugden:** Again, I thank the Member for his intervention. I do not suppose that we can ever be confident in that. I suppose that it is one aspect of the Bill that it has to coincide with a really significant public awareness campaign. Equally, I could say this: where do we get the confidence that my wishes to donate my organs and potentially save four to five lives will be respected after I am gone? I do not have that confidence. The overriding principle for me is that we will save lives in this respect. I do not think that we can have certainty on both sides of the

argument, but, at least on one side, we are increasing the opportunity to save lives.

I want to bring in my other concern about family consent. I know that, in Committee, a couple of Members raised the issue of whether consent meant consent. That goes back to my point about having confidence that someone will fulfil my wishes should I pass away. I fully appreciate that the family needs to remain central to this, but there will be cases where, although the deceased was willing to donate an organ, their family will not be willing to make that decision after their death. That is entirely understandable, and I appreciate the reasons around that. Has Mrs Dobson considered provision for willing donors who know that their families would not be able to make the decision in the event of their death? In a soft opt-out system, could there be provision for people who really want to opt in and want to donate their organs after death that almost overrides the family decision? For example, could it be done even through their last will and testament, if that were possible, although I know that timing can be a bit difficult in that respect. According to this legislation, would it supersede the family consent element, or would it even supersede the European law around the family needing to consent to it?

**Mrs Dobson:** I thank the Member for giving way. I also thank her for her interest in organ donation. You alluded to the fact that you can make your wishes known in a will. Given the timing and the critical window we have for transplanting organs, that would not always be the best way. The safeguard you are talking about is ultimately to make sure that, if you are a passionate supporter of organ donation and you want your wishes to be considered and are not sure if your family can make that decision, whether it is through grief or if they are opposed to it, this would be where the advocates would come in to make your wishes known.

**Ms Sugden:** I thank the Member for her response. The next question that came to my mind is that the current system is not stimulating the conversation around organ donation.

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

**Ms Sugden:** Sure. Go ahead.

**Mr Ross:** I thank the Member for being so generous in giving time. She made an interesting point about somebody who makes a declaration during their life that they want to be a willing organ donor but knows that their family may veto that. It is an interesting area, and it is one that some of my colleagues have raised with Mrs Dobson in Committee. I suppose that the very practical difficulty of doing that is that you are putting not only families in a very difficult position in a trauma unit but doctors too. In practice, would you really want to have a system that puts families and doctors in conflict? In the scenario where families do not give consent in a trauma unit or at the end of someone's life, you are potentially creating an opportunity for conflict between doctors and families, which is exactly what we want to avoid.

**Ms Sugden:** Yes, I accept that point. If there were a provision that ensured that a deceased person's wishes were fulfilled, perhaps that would take away the conflict. No one could argue with it in that respect. It is how you put that into practice. Logistically, a last will and testament would not work, because there is just no time, but I would

be interested to see how that could be considered through Consideration Stage.

It is true to say that the current system is not stimulating the conversation. I am keen to understand how the new system would stimulate the conversation. My understanding is that it would become the norm that, in the event of someone's death, they would donate unless otherwise stated or if the family did not want them to donate. Are we stimulating the conversation around the family having to make a decision that had not been discussed prior to the person passing away? I have a bit of a reservation about that, because it even alludes to some of the points that Mr Ross has raised.

My final point is that Northern Ireland is a generous country. We are the leading country for living donation, but that does not seem to be reflected in deceased organ donation rates. For me, the difference seems to be consent and who gives it. If both systems require family consent and the ultimate variable is family consent, why do we need to change the system? Again, it comes back to the awareness campaign and how effective that will be. If awareness campaigns do not work currently, will we have an awareness campaign that will be effective in upholding the legislation? They are dependent on one another.

There are many questions to be raised around organ donation, but, ultimately, I come back to the overarching principle. This is an opportunity to save more lives, I know that we have to put more into that than just that one notion, but it is a notion that will be dictated by everybody's lives and the decisions they make. I have no issues at this stage saying that I support the Bill, but I will look for it to be strengthened in the other arguments that I have presented.

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):**

I am grateful for the opportunity to contribute, to respond to some of the points that were made in the debate, to set out the work that is being done by my Department and to explain my position on aspects of the Bill. I acknowledge the Member for Upper Bann's achievement in bringing her Human Transplantation Bill before the Assembly and her contribution to raising awareness about organ donation. I know that she has strived for this, and I share her aim of seeing many more of our fellow citizens who need an organ to improve their health or, indeed, in many cases, to save their life receive that organ at the earliest opportunity.

This year marks 21 years of the NHS organ donor register. In the last 21 years, more than 55,000 people across the United Kingdom have received an organ transplant thanks to someone donating when they died. A total of 21 million people across the United Kingdom have registered to help others. At 30 September 2015, 647,237 people residing in Northern Ireland were on the UK organ donor register. That is approximately 42% of the adult population. The number of registrations per year on the organ donor register has increased from 16,657 in 2010-11 to 36,111 in 2015, so the number of people registering is rising considerably. Those are remarkable achievements, and Northern Ireland has played its part in the success of the organ donor register. That is why I ask Members to think very carefully about giving their support to the Bill, because it proposes that, in future, in Northern Ireland, we will move from a tried and tested voluntary registration system to a statutory soft opt-out system of organ donation. That would be a major change in our

long-standing approach to organ donation. In doing so, the Bill raises important issues of ethical, legal, medical and social significance that require careful consideration by the Assembly.

Laudable as the Bill's aims are — none of us would disagree with the objective of increasing the number of donors who could help to save lives — the Bill asks the Assembly to take something of a leap in the dark, because we have no way of knowing what the impact of the Bill will be. There is no clear evidence that a statutory approach will deliver significantly higher rates of donated organs than we have today. In fact, while Spain, which has been much mentioned during the debate, is recognised as having a higher number of donors than the United Kingdom, it does so without having an opt-out system. It legislated for one but never properly or fully enacted it. Going by 2013-14 statistics, Northern Ireland's donor per million figure is also higher than those of many countries around the world — like Estonia, Austria, Italy and Finland — that have opt-out or deemed consent systems.

Until this year, we have never had a statutory requirement anywhere in the United Kingdom to make clear our wishes about donating our organs after death. While the Bill makes provision for families to have the last say in the clauses covering deemed consent and affirmation, even with those safeguards, the Bill, if enacted, will introduce a fundamental change to our organ donation policy in Northern Ireland. These are radical changes, and I fear that the proposed move to statutory soft opt-out could undermine the achievements of the last 21 years by making organ donation a controversial act rather than the act of generosity that it is today. I know that some will say that, if a statutory soft opt-out system saves even one additional life, it is a step worth taking: I would reply that the success of the voluntary system of registration over the past 21 years should not be changed without careful consideration of the potential consequences.

My Department's policy is to fully implement the NHS Blood and Transplant strategy on organ donation. The strategy does not propose that soft opt-out legislation should be introduced as a UK-wide policy. The strategy aims to raise awareness and increase the number of donors and donated organs through society and individuals, NHS hospitals and staff, NHS Blood and Transplant and commissioners working together to achieve the desired outcomes. My Department is committed to working with our partners in England, Scotland and Wales to achieve NHS Blood and Transplant's overall aim, which is for the United Kingdom to match world-class performance in organ donation and transplantation. Given that the NHS Blood and Transplant strategy does not propose that soft opt-out legislation should be introduced as a UK-wide policy, I ask Members to consider whether the introduction of the Bill is premature.

I say that because we will have the opportunity to learn from the impact that statutory soft opt-out will have on organ donation in a part of the United Kingdom when this system comes into operation in Wales next month.

**6.30 pm**

Northern Ireland and Wales operate their organ donor awareness and transplantation service under the United Kingdom's NHS Blood and Transplant partnership, as do England and Scotland. Northern Ireland and Wales have

been members of this successful partnership, which, in the past 21 years, has enabled 55,000 people across the UK to receive an organ transplant. Northern Ireland and Wales have a similar culture that shapes social attitudes towards organ donation. We also have the opportunity in the months ahead to assess the impact that the NHS organ donor register, launched in July, will have. The new register extends the choices that a person can record when they sign it. Previously, we could register only to be an organ donor: the new register provides options to formally register our wishes to be a donor or not to be a donor and to record the details of two representatives to make the decision for us after death. The new organ donor register has, therefore, given us the ability to voluntarily opt out and to nominate named individuals to make the decision to donate or not to donate our organs.

Let us not rush to legislate when we have the opportunity to learn from the experience in Wales and the impact of the new organ donor register in the months ahead. If statutory soft opt-out significantly increases the number of donors and transplants in Wales, many may wish to consider legislation more favourably; if it makes little or no difference, the cautious approach that I advocate will be seen to have been prudent and sensible.

Having made clear my views on the central principle of the Bill and before I make some comments about its content, I would like to say a few words about the team that would be required in part to deliver the Bill in our hospitals if it becomes law. I visited the regional centre for renal medicine and transplantation in the Belfast Trust and met the excellent team that provides that life-saving service. They are an impressive group of professionals. In my time as Minister, I do think that I have met a group of clinicians more dedicated to their work and less afraid to tell you that they want to be world-class. The world-class nature of the service was clearly seen on 13 September when a record five kidney transplants took place in less than 24 hours. That falls just one short of the world record of six transplants in a day, in Texas in 2013, and equals the UK record of transplants performed in a single unit on a single day. A team of 14 doctors, 20 nurses and three scientists were critical to the effort. Notably, several operating theatre nurses came into work on their day off. I am sure that the Assembly will join me in paying tribute to their remarkable skills and dedicated service to their community. They are a truly amazing team of professionals whom we ought to be immensely proud of.

I have given my view, but, on a subject as serious as this, it is of paramount importance that we hear loudly and clearly the views of clinicians. Whatever we feel about the Bill, they will have to operate with the legislation that we might pass. The consultants in the aforementioned regional centre for renal medicine and transplantation in Belfast City Hospital collectively as one wrote to me to express their common position on the Bill. Their views are worth hearing, so I will read their letter in full and will publish it on the Department's website as well as placing a copy in the Assembly Library. The letter reads:

*"Dear Minister,*

*The Belfast Health and Social Care Trust, as providers of the only solid organ transplant service in Northern Ireland, have an obvious interest in the above proposed legislation in relation to organ donation.*

*While fully supportive of the principle of increasing the number of deceased donor organs available to provide life-saving transplantation, we are cautious about any change which, although well-meaning, might potentially have a detrimental impact on the public's willingness to donate.*

*There are differing opinions within both the medical profession and society at large with regard to the acceptability of an opt-out system. The perception by some that this effectively means acquisition by the state of body parts, and removal of the altruistic aspect of donation, is of concern. These and other ethical issues have prevented the global adoption of presumed consent legislation."*

The letter goes on:

*"The Public Health Agency's research in 2013 on public attitudes to organ donation and transplantation revealed a high level of misunderstanding about organ donation. However, the number of living kidney donors per million of population in Northern Ireland is over twice the UK average and is comparable to the highest international living donor rates. This reflects the generosity of the population here and, with understanding of the issues, a very positive attitude towards transplantation. With further public education, it is probable that there will be a better and more widespread willingness to increase deceased organ donation and that an understanding of the benefits of legislative change would also be achieved and accepted.*

*The higher rate of organ donation in opt-out jurisdictions persists, even when the next of kin are still asked for their approval before donation. Rather than enforcement of a legislative decree, the increase in deceased donation in this setting reflects increased public awareness, societal attitudinal change to donation and improved infrastructure."*

The letter then concludes:

*"We suggest, therefore, that hesitation may be appropriate at this time. Deferring any change would allow firstly for re-evaluation of the impact of the Public Health Agency's public education campaign and secondly, assessment of the impact of a similar change made by the Welsh Assembly which will take effect on 1 December 2015."*

That letter is signed by the consultant nephrologists and transplant surgeons at the Belfast Health and Social Care Trust.

They are lengthy, but powerful and important words and we should listen to them. Two sections of the letter stand out for me. First, the clinicians state, and I repeat:

*"While fully supportive of the principle of increasing the number of deceased donor organs available to provide life-saving transplantation, we are cautious about any change which, although well-meaning, may potentially have a detrimental impact on the public's willingness to donate."*

I am sure that none of us, least of all Mrs Dobson, wishes to have a detrimental impact instead of a beneficial one. However, that is what the consultant nephrologists and

transplant surgeons at the City Hospital fear, and that should sound a note of caution.

I understand their point about a potential negative impact. At present, regardless of the register, 100% of individuals are potential donors and specialist nurses and clinicians have to have the extremely sensitive and difficult conversations with relatives after a death. The experts fear that, if there is a level of backlash against legislation, a large number of people opting out from the outset, could limit that from 100% to, say, 70% or 75%. Clearly, that would not be an outcome that any of us would want, but it is certainly a distinct possibility. The Public Health Agency's evaluation work found that 6% of those currently on the organ donor register said that they would opt out of the system if it became mandatory. Some 23% agreed that organ donation is a gift which the opt-out system will take away. There is a worrying risk that a sizeable number will remove themselves from the register forever.

The second significant section in the letter surrounds the consultants' and surgeons' explicit care for caution. They say:

*"We suggest, therefore, that hesitation may be appropriate at this time. Deferring any change would allow firstly, for re-evaluation of the impact of the Public Health Agency's public education campaign and, secondly, assessment of the impact of a similar change made by the Welsh Assembly which will take effect on 1 December 2015."*

Clearly, they are urging caution; a wait-and-see approach, not ruling out legislation forever, but urging us to defer change.

This is undoubtedly an emotional issue, but that does not mean that we can or should simply ditch evidence. On a range of issues, I have found that, as Minister of Health, I am encouraged by others to set to one side my personal beliefs, wherever they might emanate from, and follow the science and the evidence. On an issue as potentially far-reaching and controversial as this, we would do well to examine the evidence and listen to our clinicians. Views like those recently expressed by Professor John Fabre, of King's College, London, who wrote in the journal 'Clinical Evidence' that:

*"there is scant evidence that presumed consent will be effective."*

So, regardless of whether the Bill passes its Second Stage, I want to carefully consider the clinical view and the evidence about an opt-out system. To that end, it is my intention to establish a working group that will do just that: consider what clinicians believe is best, and examine the available evidence about an opt-out system.

Should the Bill pass its Second Stage today, that view will be more important than ever. If it does not, I am still prepared to work with our clinicians, especially as we will have evidence from Wales's experience to consider.

I will now make some comments on the detail of the legislation. If it becomes law, the Bill will have significant implications for my Department's organ transplantation policy and for everyone in Northern Ireland. We must therefore ensure that it provides maximum clarity about the donation and use of human organs in transplantation. That will be of concern to all in Northern Ireland, who in the

future may be faced with making decisions on the donation of their loved one's organs.

If the Bill completes its Second Stage today and moves to Committee Stage, appropriate and sufficient time must be given to scrutinising a Bill of such importance. I know that the Committee has a busy workload at present, and giving the Bill sufficient and appropriate scrutiny could mean that other legislation falls. I have heard it suggested that the Committee Stage be expedited or that all evidence sessions be held on one day. That would be a mistake. It would not reflect the seriousness of the legislation, nor would it permit proper scrutiny. It would not inspire public confidence in the outcome either. I look to the wise judgement of the Committee Chair and members to ensure that the Bill gets the most robust scrutiny.

We need to ensure that the Bill gives clear direction on the regulations to be made by my Department in subordinate legislation. Those regulations are required under clause 7, which deals with express consent to transplantation activities involving excluded material, clause 8, which deals with deemed consent to activities involving material from living adults who lack the capacity to consent, and clause 9, which deals with appointed representatives to express consent for transplant activities. Clause 9 is especially important, where the individual concerned may disagree with the views of appointed representatives on organ donation.

In deemed consent cases, the individual specified through qualifying relationships in clause 10 will be an important reference for the necessary information about the views of the potential donor in order to ensure that the donation does not go ahead if the deceased had a known objection to organ donation. Deemed consent as described in the Bill is at the heart of some of the most difficult conversations that any family might face. We must therefore ensure that the Bill provides appropriate safeguards in that sensitive area. One aspect of clause 4 in particular concerns me and needs more consideration and is to do with the designation of a "friend of long standing" in clause 10(1)(h). Nowhere in the legislation does it detail what a "friend of long standing" is, what counts as long-standing or what constitutes a friendship.

Clauses 5 and 8 are also important, owing to their ethical intent. The clauses cover issues concerning the capacity of individuals to consent and, again, need to be clear and easily understood. They also need to be considered in the context of the Mental Capacity Bill, currently under consideration by the Assembly, to ensure consistency of approach.

The schedule to the Bill proposes extensive amendments to the Human Tissue Act 2004 and the related codes of practice issued by the Human Tissue Authority. If the Bill passes to Committee Stage, my Department will need to consult the authority fully on those amendments, as its codes will provide guidance on the implementation of the Bill's amendments to the 2004 Act. My Department believes that it will be essential for it also to produce a code of practice to ensure that guidance on the new transplantation policy proposed by the Bill is available for healthcare professionals, patients and their families — guidance that they can easily understand and apply at hospital level. In addition to the codes of practice, there are other important operational matters that will require careful consideration. Those include an assessment of the impact



on critical-care capacity in our hospitals of an increase in the number of donors.

Clause 1 in the Bill places a duty on my Department to promote organ donation in a campaign at least once a year that informs the public about the circumstances in which consent to transplantation is deemed to be given and the role of relatives and friends in affirming deemed consent. The campaign should also increase awareness about transplantation. My Department has estimated that the annual recurrent cost of that campaign could be in the region of £250,000.

I understand that the Member for Upper Bann has said — indeed, she repeated it today — that information available to her indicates that the cost of implementing the Bill is likely to be between £2 million and £5 million. In 2012, the Welsh Government estimated that the cost of implementing similar legislation in Wales would be £8 million, discounted over 10 years. On a population-proportionate basis, the estimated cost of implementing the Bill in Northern Ireland is therefore £5.3 million when inflation is taken into account.

#### 6.45 pm

That estimated cost would cover new investment to set up and maintain the infrastructure required to operate a statutory soft opt-out system of organ donation. The costs would include business and system changes, the processing of opt-out requests, public communications and evaluation. In addition to the new investment in infrastructure, costs would also likely be incurred from any increase in the number of organs retrieved from deceased people and transplanted. Those are variable costs that will differ by organ type. Currently, my Department contributes in the region of £2 million annually to NHS Blood and Transplant, including for the retrieval and transport of organs given by donors in Northern Ireland that are clinically suitable for patients awaiting an organ in the rest of the UK. My Department would therefore need additional resources to implement this Bill.

I think that legitimate questions exist about the human rights compliance of this legislation, and I will be seeking the Attorney General's view about that important aspect. I hope that the Assembly will see from my comments that, if this Bill passes to Committee Stage today, the Committee will need to ensure that the content of the Bill is clear and leaves no room for ambiguity in its interpretation if it becomes law.

I have raised some important points of caution. I have also set out the views of clinicians as they have conveyed them to me. I want to set out my own position on the Bill. I said at the start of my speech that I share the aim of the Member for Upper Bann to see many more of our fellow citizens who need an organ to improve their health, and, indeed, in many cases, to save their life, receive that organ at the earliest opportunity. The debate around this Bill has made me think about the issue in ways that I had not thought about it before. It has provoked not just my own thinking, but conversations in my family. I have, for the first time, signed up to the organ donor register. While I may have some misgivings about the Bill, it has at least made me see the merits of voluntarily signing up to the register.

My predecessors and I have previously stated that making a decision on any legislative change for organ donation is

not one to be taken lightly, just as an individual's decision to go on the organ donor register should not be taken lightly either. The last place we want to be is, in seeking to do the right thing for the right reasons, actually doing the wrong thing. That remains my position. It also appears to be the view of clinicians.

The new organ donor register also needs time to establish public awareness of the additional registration options. It is hoped that the new register will encourage more people to donate their organs and to make their wishes clear. I firmly believe that my Department's policy of increased public awareness, education on the key issues, promoting the new organ donor register and the further development of transplantation services through UK-wide action is the best way forward for organ donation in Northern Ireland.

I believe that it would be better for this Assembly to wait and see the impact of the introduction of the statutory soft opt-out system in Wales next month. As it stands, this legislation would come into full operation on 31 May 2018, regardless of the Welsh experience or the clinical evidence available between now and then. I do not believe that either can be ignored.

I will listen very carefully to Mrs Dobson as she concludes the debate. She exhibits a willingness to accept the need expressed by the team of consultants at the renal transplantation centre that waiting and seeing is the best course of action. If she is willing to embrace the need to reflect this in her Bill by way of an amendment, in spite of my serious concerns, I am prepared to work with the Member and make resources from my Department available to craft the Bill into one that is workable and that reflects the need to consider the views of clinicians, the evidence available and the experience in Wales, should the Bill pass Second Stage today.

For our part, my senior official who is leading on this issue has already met Mrs Dobson to indicate my Department's willingness to engage with her because, believe me, this Bill needs some work. There are too many elements of the Bill that are too unclear and uncertain in such an incredibly important and potentially controversial piece of law. Just a few days ago, the British Medical Association, which had been supportive of the Bill, wrote to all MLAs expressing concerns about clause 4, stating its belief that the current drafting "could lead to confusion". Whenever supporters of the Bill are sounding notes of caution, we should respect that and reflect it in our scrutiny.

I believe that it is critical that we take our time, consider the clinical evidence and get this right. If the Member for Upper Bann illustrates a willingness to work with me and my Department to make the legislation workable and reflect the fact that the experience of elsewhere must be taken into account before full operation, I will not stand in its way today. However, if the legislation put before the House at a later stage is still concerning clinicians, I will revisit my position.

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

Strong views on either side of the argument clearly exist in the Chamber, just as they will exist in our community. As we move forward with the issue, I caution that those who oppose the Bill today are not pilloried as being against organ donation. Quite the opposite is true, I am sure. Concerns about the state overreaching or adding stress

to bereaved families at a very difficult time are entirely legitimate and should be respected and not characterised as being against organ donation or opposed to more donors.

It is an incredibly important issue, deserving of mature debate and careful consideration. I urge the House to debate the issue intensely but without rancour and to carefully consider the issues raised today.

**Mrs Dobson:** It certainly has been a marathon debate. I thank all those Members who spoke during it. In opening the debate, I said that I rose first as a mother of a successful kidney transplant recipient, and it is in that spirit that I wish to continue to speak in closing the debate. I repeat my offer to continue to work with any Member on any aspect of the Bill. That has always been my intention.

I well remember the Health Minister's immediate predecessor predicting in the Chamber earlier this year that this debate would be:

*"a very interesting test of the maturity of the Assembly."*  
[Official Report (Hansard), Bound Volume 102, p77, col 1].

That is one prediction that has certainly come true. I thank Members from across the House for their contributions. As I said earlier when talking about organ donation, there is always a need for emotion and sensitivity, and we have certainly had a considerable amount of both in the debate. I am thankful to Members for that.

We have heard much in the House about the Donaldson report in the last couple of weeks. I would like to reference Sir Liam in relation to his views on organ donation. In 2007, the then Chief Medical Officer was at pains to point out that, as we face an ageing population, the demand for organs will inevitably increase. That is an important point, which I do not believe can be overemphasised, especially with recent research from Age UK, which has been raised in the House in relation to other issues. It shows that the number of people over 85 in the United Kingdom is predicted to more than double in the next 23 years to over 3.4 million people. That will inevitably have an impact on our services here in Northern Ireland. As I said earlier, when viewing the Bill, we should look at the position we want to be in in five, 10, 15 or even 20 years' time.

Those figures are to be welcomed and celebrated, but an ageing population will inevitably continue to put pressure on the demand for organs. Sir Liam said:

*"People are dying, people are suffering and many people are living on a knife-edge of despair waiting for a phone call that never comes. My view has always been that we need to act with solidarity, generosity and humanity to give these people a future."*

Those comments were made eight years ago. As Sir Liam is a senior medical expert, I welcome his continued support for the soft opt-out system and recognise that he supports, as I do, the key role that the family has to play in that system. All too often when we plan, we do not lift our heads to the future. Dealing with the here and now often becomes more important and pressing. On an issue like organ donation, it is very clear, and has been said again today, that change does not and cannot happen overnight. It is a process. It requires careful planning and a vision for the future in, as I said, five, 10, 15 or 20 years' time.

When our fantastic clinicians were pioneering surgery at the City Hospital in the 1960s, 1970s and 1980s — I think particularly of Professor Mary "Mollie" McGeown CBE, whose portrait still hangs proudly on the eleventh floor — little did they think that medicine would move on quite so dramatically. Professor McGeown proudly oversaw the opening of a purpose-built transplant unit at the City Hospital in 1968, and a dialysis unit was established on the same site the following year. Countless local lives have been saved in the 47 years since, and the unit that she proudly oversaw has changed dramatically since that time.

Equally, I know that we now have the ability to transplant organs that may have previously been rejected as unsuitable or too risky. That was highlighted vividly in a recent BBC Scotland programme entitled 'Transplant Tales, Life on the List'. The programme made for compelling viewing and was a regular fixture in our house, watched several times on the iPlayer. It looked at the challenges of an ageing population and issues including alcohol, obesity and, specifically, the alarming rise in diabetes. It concluded that, due to those and other issues, the demand for transplant organs is, in the words of the programme:

*"set to explode over the next ten years."*

It also highlighted the already critical shortage of organs and that three people in the UK die waiting for a transplant every single day. The two-part documentary had exclusive access to Scotland's entire transplant service, and I commend it to Members as compelling viewing on the issue of organ donation and the very human aspect to the ever-growing number of patients whose lives are on hold, desperately waiting for an organ to become available.

As a lifelong supporter of organ donation, I have been heartened by comments that have been made in the Chamber by successive Health Ministers. These included comments on 5 February 2013 after the First Minister and deputy First Minister gave their support to the soft opt-out system alongside the then Health Minister, Mr Poots. In responding to a question that I asked that afternoon, Mr Poots said:

*"I believe that we can continue to drive organ donation upwards. I believe that an opt-out scheme can help maximise that, and I believe that an opt-out scheme with a strong educational emphasis will fully maximise the number of organ donations that we have in Northern Ireland."* — [Official Report (Hansard), Bound Volume 81, p254, col 1].

Those words stand as true today as they were two years ago. I hope that Members realise that this Bill includes the all-important education programme that he spoke about.

Equally, I was heartened by the very open debate that took place in the Chamber in February 2012. Member after Member, from all sides of the House, reiterated their support for organ donation, and issues about the opt-out system were raised in what was a very measured and tempered debate. In his contribution to the debate, we received what I believe was an important commitment from Minister Poots. He said that he was of the opinion:

*"we need to do more in respect of retrieving and transplanting organs for those who need them."* — [Official Report (Hansard), Bound Volume 72, p73, col 1].

In making the winding-up speech for that important debate, Ms Paula Bradley said — and I could not agree with her more:

*“We as an Assembly should work towards ensuring that we can perhaps first follow the Welsh example of changing our current opt-in system to one of the two opt-out systems in place in 22 other countries.” — [Official Report (Hansard), Bound Volume 72, p75, col 2].*

That, Members, is what I am asking of you today: that we work together to achieve the right Bill for Northern Ireland.

**Mr I McCrea:** Will the Member give way?

**Mrs Dobson:** No, I have already given way plenty.

I have long said that I believed that the Executive should bring forward the legislation, and that it should not be left to a Back-Bencher such as me to do so, although I remain completely committed to seeing it through. No one would have been more delighted to have seen the Bill taken up by the Executive and, indeed, I believed that it was going to happen on a number of occasions. Indeed, when I met the First Minister and the deputy First Minister jointly on the issue in March of last year, I raised the matter of resources, given their public support for the soft opt-out system. I remain hopeful that I will be given the opportunity to work alongside the Department of Health as things progress.

#### 7.00 pm

A number of Members raised the British Medical Association, and I welcome continuing to work with it. I have indeed been in contact with it to set up a meeting in the coming weeks to discuss the Bill. I mentioned earlier that I am also looking forward to a fruitful working relationship with the Department of Health, and I welcomed the opportunity to meet with the director just two weeks ago.

I turn to individual contributions by Members, and there were many. Maeve McLaughlin's was the first. I thank the Chair for supporting organ donation events with charities in this Building, and I welcome her support for transplant awareness week. During her speech, the Chair gave us an overview of the Committee evidence session and highlighted what she called the stark reality of 15 people dying, and that rose to 17 last year. She acknowledged that the Bill has the potential to touch every one of us. Importantly, so too does the issue of organ transplantation. I agree with her that consent is a difficult issue, especially for grieving families. However, it is made a little easier when they know what the wishes of their loved ones were. She referred to the important role of clinicians, but that is to advise and not to take decisions on consent. They are very clear on that. She highlighted that no one could put a financial figure on good health. I agree with her comments about education and communication being crucial cornerstones of the Bill.

I am thankful to the Deputy Chair, Mr Easton, for his contribution to the debate and, at the outset, his open-mindedness as the Bill goes forward. I also welcome his recognition of my extensive consultation and overview of the Bill. Mr Easton spoke about medical opinions on the Bill. I understand that that is exactly what the Committee Stage can achieve and welcome his role in this as Deputy Chair. Finally, I refer to his comments on organs being made available to patients across the United Kingdom. My son Mark's kidney came from England. Mr Easton's

colleague Mr Poots, when Minister, recognised that we benefited hugely from that relationship.

The third Member to speak was Fearghal McKinney. He poignantly asked us to consider those lost lives, and that is exactly what we should be doing. I am grateful to the support provided by Mr McKinney and Members of his party for organ donation events in this Building. I am also grateful to Mr Ramsey and, previously, Mr McDevitt for their roles as vice-chairs of the all-party Assembly group on organ donation. I understand that Mr McKinney has asked a number of questions for written answer, and I feel that he has touched on very important issues here. He spoke about an important balance that needed to be struck and supported the role of advocates. I thank him for his support and kind comments, and I agree that there will be major moral, ethical and legal issues as the Bill proceeds. I welcome his commitment to the inclusion of safeguards. I welcome Mr McKinney's recognition of the work that been undertaken and his focus on finance and cost savings.

The next Member to speak was Michael McGimpsey, who referred to the prize that we will get out of this and the fact that this is ground-breaking. I thank Michael for his important support for the Bill; his insight as a former Health Minister has been crucial in bringing it forward. I will try not to embarrass him too much, but I remember being with Michael back in 2009 at the opening of the Wellbeing and Treatment Centre at Forestside. Mark and I were there with an army of organ donation volunteers, raising awareness and funds. Mark was not long after his kidney transplant, but, as always, he was there with me, by my side, and I was delighted with the support that Michael showed us that day. It was a shot in the arm for us volunteers to know that we had the support of the Health Minister. It meant a lot then and does to this day.

Very poignantly, Michael mentioned the loss of children with their entire life ahead of them and said that the greater availability of organs would increase life chances for seriously ill children. By facing serious issues raised in the Bill, we are actually saving lives. Not going forward will be to the detriment of patients, especially the young children whom Michael referred to. In principle, for the prize and what we will get out of it, we should get behind the Bill. I thank him for his contribution.

Stewart Dickson talked about his experience of early heart transplant recipients and said that their lives were extended as a result of organ donation. He also spoke about a friend who had received a second kidney transplant — someone who has returned to as normal a life as possible. I thank Mr Dickson for his comments and for what he said about the meticulous research on the Bill.

Gary Middleton is the newest member of the Health Committee, and he is welcome. He referred to the varying systems across the world. I agree fully with him that the personal stories bring it home to all of us. He talked about Andrew Duncan and his untimely death one year ago today. Andrew was scheduled to present to the all-party group last year, but, sadly, his illness prevented him from doing that. I had the immense privilege of meeting his wife and viewing the video that the British Heart Foundation brought to the all-party group. I also agree with Mr Middleton that Andrew's story and other emotional stories highlight the current situation.

I agree with Rosie McCorley about this being an emotive issue. According to Ms McCorley, due to the lack of available donors, soft opt-out is the right way to go. She referred to the presentations made to the Committee by those whose lives were changed by organ donation. She also referred to the number of people who die each year, and she encouraged Members to support the Bill and for the public to have that conversation.

Pam Cameron said that organ donation was an issue for further debate and that she had real concerns with the Bill. I say to the Member that the central issue should be carrying out the will of the deceased. She also said that any legislation introduced in the wrong way could be detrimental to our constituents. I recognise some of her concerns, but would say, as I have always said, that I am willing to work with her as the Bill proceeds in Committee.

I welcome Pat Ramsey's contribution and his willingness to see the Bill go forward to Committee Stage for scrutiny. He referred to personal stories and talked about the clear support in Northern Ireland for the change to the soft opt-out system. He referred to the 162 people waiting for transplants and encouraged Members across the Chamber to meet me. As I said, I wrote to Members in 2013 offering that opportunity, and my door remains firmly open.

Daithí McKay talked about the cultural changes that have occurred in other countries. He described the Bill as one of the most important in this Assembly term, and I appreciate that, given his record for private Members' Bills. He said that lives were at risk and the proper thing to do was to allow the Bill to proceed to Committee.

I have trouble with Alastair Ross's concerns about ideological difficulties, especially as, I am sure, he probably knocked on the doors of the East Antrim constituency for Sammy Wilson's 2010 Westminster campaign, when there was a commitment in the manifesto to support presumed consent; not soft opt-out, but presumed consent. If it was so right for the people in 2010, why is it so wrong for them five years later? Alastair said that legislation was unnecessary and possibly counterproductive, but he congratulated me on bringing the Bill to this stage. I agree with him that the most important thing that we can do is to discuss the issue with our loved ones. He told us about his strong, fundamental opposition to the Bill and said that he will oppose it at this stage, which, naturally, disappoints me, given his previous stance of wishing to bring forward legislation on this very issue.

I wish to correct the Member. During his contribution, he said that the second PHA consultation showed a drop in public support. It did not; it went up from 56% to 61%. The Member said that he supports —

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

**Mrs Dobson:** No, I want to make my points. You have spoken quite a lot.

The Member says that he supports my aim of increasing the number of donors, yet he wants to put the brake on the only Bill brought before the House that seeks to do so. The Member talked about Brazil and the public mistrust around the issue of abuse of organs. I hope that he is not for one second suggesting that we have, or could ever have, that

situation. I am sure that his colleague the Health Minister would be gravely concerned if he is.

The Member said that he opposed the Bill and proceeded to go through his thoughts on how it should be approached at Committee Stage. On the *RaISe* document that he mentioned, does he agree that, had there been a greater level of support and openness from the Department, we could have had greater knowledge of the costs at this point? That paper is available in the Assembly Library.

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

**Mrs Dobson:** No, I am making my points.

The Member would, of course, have had the opportunity to commission his own research for his own Bill. I agree with him that I would have preferred to see action from the Department, especially given the support from the First Minister and the deputy First Minister.

Steven Agnew stated the support of the Green Party for the soft opt-out system and said that he had tabled a number of questions for written answer on the issue. I welcome his recent support for transplant awareness week, when he took the time to meet the charity volunteers in Room 115 to support their cause. He referred to organ donation as —

**Mr Ross:** On a point of order, Mr Principal Deputy Speaker. I fully acknowledge that it is up to Members to decide whether they give way in a debate, but is it in order for a Member to ask a specific question of another Member and then refuse to give way?

**Some Members:** Hear, hear.

**Mr Principal Deputy Speaker:** It is entirely in the gift of the Member speaking.

**Mrs Dobson:** Thank you, Mr Principal Deputy Speaker, for clarifying that.

As I said, I welcome Mr Agnew's recent support for transplant awareness week. As he said, I will work with anyone to get the right Bill for Northern Ireland, and my door has been firmly open. I would welcome Mr Ross taking the opportunity to come to speak to me as the Bill progresses.

Mr Agnew said that organ donation is one of the wonders of modern science, and he spoke of William Johnson, who has waited 17 years on a kidney. He hopes that this opportunity will not go to waste.

John McCallister has been supportive of the Bill from the beginning, and I appreciate his comments, not least because he knows what it is like to bring through a private Member's Bill and the hours of work that it entails. Just like my Bill, his looks to the future — five, 10, 15 and 20 years down the line. It is interesting that such far-reaching issues are being brought through as private Member's Bills, not by the Executive. John spoke about having important discussions over the dinner table. I welcome his contribution.

Claire Sugden raised some very important points. I welcome her support and look forward to working with her as the Bill progresses.

I was disappointed by the Health Minister's "leap in the dark" comment. It is hope that we should be seeking to give our constituents, and consecutive Health Ministers



have taken the stance of researching continually rather than taking action, one minute seemingly supporting soft opt-out and the next minute opposing it. The Minister's position seems to be to wait and see whether lives are saved in Wales, and then, when he finds out that they are, to act here. That will be disappointing to campaigners and charities.

In reply to a question for written answer in October 2014, Jim Wells said that he would make a decision on whether to bring forward statutory opt-out legislation once he had reviewed the second PHA survey. I welcome Jim's contribution today. Given that the survey shows an increase in public support for soft opt-out legislation, it would be helpful to know whether the Minister takes the same decision that his predecessor took.

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

**Mrs Dobson:** Yes. *[Interruption.]*

**Mr Hamilton:** I must be privileged, Mr Principal Deputy Speaker. The Member stated my view. Does she accept the important letter that I read into the record, which will be available on the Department's website and in the Assembly Library? It states that it is the view of the clinicians and consultants in the transplant centre at the Belfast Trust that we should be cautious, wait and see and view the Welsh experience before moving forward in Northern Ireland? Does she accept that that is their view?

7.15 pm

**Mrs Dobson:** I very much look forward to reading the letter. I want to put it on record, Minister, that we have not been able to get an appointment for a meeting yet. The previous one was cancelled: could we slot that in very soon?

It only remains for me to thank all Members who contributed. I repeat: my door remains open. I have listened carefully to all the points that have been raised and I give an undertaking to carefully consider the points raised by Members. Each donor, as has been said, can save up to seven lives. I know so many families, some of whom have lost mothers, fathers, sons, daughters or grandparents, who take great comfort every day from the fact that their loved one allowed someone else to live. I can think of so many cases where that is true. We in the organ donation family hold each and every one of them up as heroes. I mentioned in my earlier contribution the importance that Dame Mary Peters attaches to donor families. It is fantastic that she recognises them every year and that it is an extremely important issue for her. I welcome Dame Mary's support, alongside so many from the world of sport, including the support of the IFA and particularly Gerry Armstrong; Joe Brolly and the GAA; and Ulster Rugby, which has been assisting and helping to promote the move to a soft opt-out system.

I will leave the final word to the charities —

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

**Mrs Dobson:** I am nearly finished my comments.

We are blessed in Northern Ireland to have so many amazing people promoting and supporting organ donation, people who do the work not for financial reward but quite the opposite —

**Mr Ross:** On a point of order, Mr Principal Deputy Speaker. The Member has just indicated that Ulster Rugby is supportive of a move to soft opt-out: that is not the case. Perhaps Mrs Dobson will use the opportunity to correct the record.

**Mrs Dobson:** No, I will not correct the record.

I will leave the final word to the charities. As I said, we are blessed in Northern Ireland to have so many amazing people promoting and supporting organ donation, people who do the work not for financial reward but, quite the opposite, because they truly believe. They believe that it is their duty to promote organ donation and to tell the human stories of pain and joy or, in the case of our four local transplant athletes — Philip, Catherine, Kathryn and Matthew — to compete and win on the world stage and honour their donors through sport.

For decades, transplant volunteers were the small but ever-increasing band of voices shouting out for organ donation in Northern Ireland. Why? Because they were touched by it and they knew what it meant to be waiting and for them or a loved one to receive a life-saving transplant. I am extremely proud to count myself amongst their number. They spread the word, whether among students or the general public, that any one of us at any time may need a life-saving transplant. They have also been vigorous supporters of the all-party group, attending regularly or, on a number of occasions, presenting. I have heard charity volunteers on so many occasions encouraging people to think about whether, if they are prepared to receive an organ to save their life, they are prepared to give an organ to save someone else's life. That is the fundamental point. From the bottom of my heart, I thank them for what they continue to do and for their support in bringing forward the Bill.

Our continued focus on organ donation at the Assembly highlights to government and those with responsibility that the issue can and should no longer be left solely to the charities. Government has a key role to play. That is why I support the PHA's Speak Up and Save a Life campaign so vigorously and have included an education programme at clause 1 for that very reason. As I outlined earlier, the scheme would pay for itself through increased donations and decreased costs to the health service.

At a time of immense grief, a family whom we will never know gave me back my son. That is why I stand here moving the Bill. I want us to move to a position where organ donation is the norm in society and where not to donate is the exception. This is a journey that we have already begun, but more needs to be done. I submit that moving to a soft opt-out system will help to bridge the gap between the supply and demand for organs. I commend the Second Stage of the Human Transplantation Bill to the House and encourage Members to support it.

*Question put.*

*The Assembly divided:*

*Ayes 46; Noes 17.*

**AYES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Beggs, Mr Boylan, Ms Boyle, Mr Dallat, Mr Dickson, Mrs Dobson, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr G Kelly, Mr Kennedy, Ms Lo, Mr Lynch,*

*Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms McCorley, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms Ruane, Mr Sheehan, Ms Sugden, Mr Wells.*

*Tellers for the Ayes: Mr Kennedy and Mr Nesbitt.*

#### **NOES**

*Mr Anderson, Mr Bell, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Dunne, Mr Frew, Mr Girvan, Mr Hilditch, Mr Lyons, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Ross, Mr Storey.*

*Tellers for the Noes: Mr I McCrea and Mr Ross.*

*The following Members voted in both Lobbies and are therefore not counted in the result: Ms P Bradley, Mr Douglas, Mr Easton, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr McCausland, Mr Middleton, Mr Weir.*

*Question accordingly agreed to.*

*Resolved:*

*That the Second Stage of the Human Transplantation Bill [NIA 64/11-16] be agreed.*

**Mr Principal Deputy Speaker:** That concludes the Second Stage of the Human Transplantation Bill. The Bill stands referred to the Committee for Health, Social Services and Public Safety.

I ask Members to leave the Chamber quietly.

## **Scrap Metal Dealers Bill: Second Stage**

**Mr Beggs:** I beg to move

*That the Second Stage of the Scrap Metal Dealers Bill [NIA 65/11-16] be agreed.*

Before introducing legislation, it is important to assess whether there is a need for it and whether the proposal is workable and proportionate. I hope to demonstrate that my private Member's Bill, which leans heavily on legislation that is already in place elsewhere, does so.

I live near Gleno in a rural community between Larne and Carrickfergus, and there have been a number of incidents in my local community that have shown me from experience that this has been a major problem. First, in Gleno, a new set of street lights was installed by Roads Service to link the village to the local bus stop at McDowell's shop. Within two weeks, the lights stopped working, and, when I enquired what the nature of the fault was, I was advised that thieves had stolen the underground cable. This was at a cost to the public purse, with inconvenience and loss of service to the public.

My church, Raloo Presbyterian Church, was targeted, and the lead was stripped off the hall roof. Through this, I learned that it is not just the discomfort of having your property attacked and the value of lead stolen but that there is the cost of weather damage to the interior of the building as a result of water ingress. Then, again, there is the cost of repair for installing new material. So, clearly, there is a need to address this issue. Considerable costs are being incurred in the community as a result of metal theft. Similarly, several schools in my constituency have been targeted — Greenisland Primary School, Downshire School and Ulidia Integrated College — disrupting children's education.

Equally, many private homes, social houses and businesses have suffered considerable loss and inconvenience, primarily around the issue of lead-flashing and copper-piping theft. A few miles up the road from where I live in the Gleno valley, there lies the Ballyvallyagh NIE electricity substation, which supplies electricity to much of Larne. I discovered that, on two occasions, the copper earth cables had been stolen. Those who carried out those thefts will have done so at considerable personal risk, and, in addition, the theft endangered the substation and could have resulted in significant failure and the subsequent loss of power for a considerable time to a wider group of constituents in the Larne area.

When I started to question where all this material was going, I became aware that it could be traded in Northern Ireland anonymously and for cash through scrap metal dealers and that no specific legislation existed in Northern Ireland around scrap metal dealers. Criminals will be attracted to or deterred from a particular illegal act depending on the risks and rewards associated with it. For a number of years in Northern Ireland, criminals have been able to prosper anonymously by selling stolen metal goods for cash. If there is a low risk of being detected and an ability to make significant amounts of money, criminals will be drawn into this particular area of crime. This was certainly true of scrap metal theft, particularly when prices peaked around 2011-12. The level of reward is determined by market forces. The value of scrap metal is set by the stock market, based on international prices of metal. It is

beyond our control, so we cannot control the rewards that criminals can obtain.

Therefore, I then started to look at the risk side of the equation. How can we as legislators increase the risk of detection for those who steal metal when they go to sell it and profit from it? By licensing scrap metal dealers, we will be able to increase the controls that will exist and increase the risks for those who wish to deal in scrap metal illegally. By requiring a verification of the supplier's identity, an audit trail of those who provide the scrap metal to the dealer is created. Therefore, metal thieves would face an increased risk of being identified. This, of course, will deter them from stealing metal objects in the first place. With a requirement of proof of ID, record of sale and vehicle registration, and the restricting of cash sales in favour of traceable bank transactions, the risk of a thief being identified will increase considerably. Again, I argue that it will further deter metal theft.

There in a nutshell is the principle behind the Scrap Metal Dealers Bill.

What is the history of scrap metal dealers legislation? In the 1960s, there was concern that metal goods were being stolen, so the Scrap Metal Dealers Act 1964 was introduced in England and Wales. There was a fit and proper person requirement for those who wished to be licensed, and that was aimed at preventing criminals from stealing metal and profiting from recycling stolen goods. With soaring metal prices over recent years, more criminals have been profiting from stolen metal, and the 1964 Act proved to be insufficient. In 2012, police in England and Wales led Operation Tornado, which introduced a voluntary scheme whereby many scrap metal dealers recorded the details of individuals who supplied metals for recycling. Although many dealers joined the voluntary scheme, which helped to reduce crime, but many others did not.

That was followed by the Scrap Metal Dealers Act 2013, which started out as a private Member's Bill, I might add. It made the recording of all scrap metal purchases compulsory and introduced a cashless system to better trace those profiting from the sale of scrap metal. As a result of those changes, thefts of metal in England and Wales declined by one third between 2012-13 and 2013-14. Interestingly, during the very same period as that reduction happened in England and Wales, there was an increase in metal thefts in Scotland, which did not have an equivalent scheme in operation. It is thought that organised crime elements moved north to Scotland. Scotland had the Civic Government (Scotland) Act 1982 governing the sale of scrap metal, which had similar provisions to the 1964 Act. When that proved to be insufficient in Scotland, the Scottish Executive amended their scrap metal dealer legislation through the Air Weapons and Licensing (Scotland) Act 2015, which only recently received Royal Assent, on 4 August 2015. That brought Scotland into line with the updated traceability requirements in the 2013 legislation that applies to England and Wales.

When I was considering legislation for Northern Ireland, I was unable to find any specific legislation regulating scrap metal dealers. It would appear that, in the past, anyone could set up as a scrap metal dealer and there was no requirement to meet the fit and proper person requirement. Indeed, there were no requirements under the older legislation, never mind the newer legislation that was recently updated. Only environmental and planning

regulations exist, imposing restrictions in those areas. We have no scrap metal dealer licensing in Northern Ireland and we are the only part of the United Kingdom without scrap metal dealer licensing and a mandatory traceability scheme involving scrap metal dealing.

I am aware of a concern about the effect of having different rules on either side of the border and how that will potentially distort business. I will come back to Northern Ireland shortly, but I want to update Members on issues that I discovered regarding the Republic of Ireland. I noticed that it, too, had been suffering from a considerable number of metal thefts. In 2012, the Irish Farmers' Association called for the introduction of a track-and-trace scheme to curb scrap metal and machinery thefts. Just as our farmers have been complaining of metal thefts, so have farmers in the Republic. Therefore, it is clear that there have been difficulties there. Mattie McGrath TD introduced a private Member's Bill in 2013, the Scrap and Precious Metal Dealers Bill. There was criticism that it was too wide-ranging, dealing with gold and silver as well as scrap metal. Although it was defeated in the Dáil, I noticed that Sinn Féin TDs there supported it, so I hope that its Members in the Assembly will likewise support my private Member's Bill in an attempt to regulate the industry.

#### 7.45 pm

Additional relevant new legislation has been introduced in the Dáil. Following the defeat of that Bill, statutory instrument No 320/2014, Waste Management (Facility Permit and Registration) (Amendment) Regulations 2014, was approved on 11 July 2014, which amended the Waste Management (Facility Permit and Registration) Regulations 2007. Licensed waste facilities would have to provide traceability of material purchased, documentation proving ID and proof of current address, for example a utility bill. Last week, I contacted the Department of the Environment, Community and Local Government, and a senior official confirmed to me that the regulation was applicable to authorised scrap metal sites. So, there already is a degree of traceability in the Republic of Ireland.

England and Wales have comprehensive scrap metal dealing. What of Northern Ireland? It is the absence of sufficient measures that has led me to develop this private Member's Bill. So, when I approached the previous Environment Minister, I was advised that the Department of the Environment:

*"does not have the vires to introduce the type of measure you refer to."*

That measure being the Scrap Metal Dealers Act 2013. The Minister agreed to examine how existing environmental law can be strengthened to address environmental crime. I noticed that the Controlled Waste (Seizure of Property) Regulations (Northern Ireland) 2013 have been introduced. Minister Attwood indicated in correspondence dated 26 March 2013:

*"I agree in principle to the introduction of legislation which would regulate Scrap Metal Dealers as an industry".*

However, he pointed out that the Home Office in England and the Justice Directorate in Scotland had responsibility. Essentially, he would have liked the Justice Minister to deal with the legislation in Northern Ireland. In recent

correspondence dated 22 October 2015, since the publication of my Bill, there have been further changes requiring minimum operator competency, including metal recovery sites involving dry scrap. The Minister is also currently consulting on a Waste Management Licensing (Amendment No. 2) Regulation 2015, although the consultation, I understand, has just recently closed. So, there are other aspects afoot.

So, what of the Justice Minister? When I approached the Department of Justice to ask the Minister if he was going to enact something similar to the scrap metal dealer legislation that existed successfully in England and Wales, he advised me in a letter dated 17 October 2012 that:

*"I should advise you that this is an issue where the Department of the Environment is better placed to respond as currently, the Department of Justice does not have any locus over the regulation of the waste management industry in Northern Ireland."*

He also pointed to the voluntary code of practice that was being adopted following Operation Tornado in England and Wales. So, the Department of Justice and the Department of the Environment seem to be claiming that it was not their responsibility to legislate for scrap metal dealers. So much for joined-up government. It was at that point that I realised that there was a need for a private Member's Bill to try to bring about this change.

It is clear that there are aspects of the Bill that involve justice, and there are other aspects of the Bill that could be deemed to involve the Department of the Environment. My Scrap Metal Dealers Bill would give the right of a constable to enter and inspect a scrap metal dealer's property at any reasonable time on notice to the site manager, and on other conditions for unannounced visits if necessary. Indeed, the constable or, for that matter, the Department would be able to issue a closure notice where a scrap metal licence were not available and trading was occurring, and it would then have to apply for a court order to enforce it.

I notice that a number of Assembly Members have been pressing on this issue. They, too, have obviously been experiencing difficulty in their areas. I see a range of questions, from David McIlveen, Simon Hamilton, Adrian McQuillan and Judith Cochrane on the issue. Just over a year ago, in May 2014, Karen McKeivitt asked about the theft of metal manholes from the Department, and it turned out that 71 had been stolen in a 12-month period. I notice that, in 2012, John Dallat asked about the cost of replacing manholes, and it was £35,500 in a 12-month period. The cost of replacing electrical cable was £330,000. I am also aware of considerable costs having built up for Translink. At one stage, £145,000 of costs had been incurred.

I also noticed that, in a press release from February 2014 that was published on the BBC, NIE said that the theft of cables by people cutting down electrical poles in Newtownabbey that Tuesday was the seventh such incident that year. This is very serious. Criminals have been cutting down wooden live electricity poles using chainsaws. Some of the cables may have been left over roads. Someone at the end of the line who experienced disrupted supply may have needed an essential electricity supply for their medical condition. These people, of course, had no consideration for that.

What has been happening in Northern Ireland without these powers? I recently came across a publication on serious organised crime reported from illegal trade in stolen metal, and the Organised Crime Task Force annual report and threat assessment 2015 case study, on page 30, highlighted the problem of managing scrap metal dealers when relying solely on limited environmental legislation. It went on to explain that, on 29 June 2010, Robert John Mulholland and Mulholland Scrap Metals Ltd were visited by Northern Ireland Environment Agency officers and a warning letter was issued asking for a cessation of scrap metal processing as no waste management licence was in force. One year later, they visited again and noticed that the letter had been ignored. During the investigation, it was estimated that 19,722 tons of scrap metal had been handled, with an estimated turnover of £3 million during the year. Over three years later, in November 2014, at a hearing, the court imposed a confiscation order of £500,000 with a default period of five years' imprisonment if the site was not cleared within six months. Whilst I welcome that significant court order against the illegal operation, I would point out that it took four and a half years for the court decision to come into being to force the closure of an illegal site. I suggest that, if the Scrap Metal Dealers Bill were in place, a much speedier process would have brought that decision at an earlier time.

We have a voluntary scheme whereby most scrap metal dealers with sites record the details of who supplied the scrap metal; but not all dealers have adopted the scheme. I was made aware that some large dealers did not follow the voluntary scheme and dealt with customers without any traceability. Any could opt in or out of the scheme at any time. There is no mandatory requirement. Certainly, thinking back to the £3 million that I referred to earlier, if someone was content to trade on a large scale without any waste management licences and without any permissions, I do not think that they would volunteer to go into a non-mandatory scheme, and I doubt very much that they would be too concerned about who was depositing scrap metal material at an illegal site. They certainly would not wish to create an audit trail of who was essentially dropping material off at an illegal site.

So it is clear that there are failings in our system.

In addition, mobile scrap metal dealers appear to be outside even the voluntary scheme, which is significant. Where do mobile scrap metal dealers get their metal? We have not got to the end of the supply chain. Potentially, the PSNI cannot trace those who have been stealing metal, should that metal have been fed in through one of the many mobile scrap metal dealers. The only records in the voluntary scheme will be at the main authorised sites, which voluntarily may have bought into the system. My Bill would encompass mobile scrap metal dealers as well as the authorised sites.

Following invitations, I visited a couple of sizeable scrap metal dealer sites. They already have significant systems to record details of those they are purchasing from. Some even automatically take pictures of vehicles and the material that has been supplied. This Bill would ensure that all would follow the good practice that is in the voluntary scheme and already in place for many. There is a clear need for this Bill. Furthermore, Northern Ireland is at risk of attracting scrap metal thieves who, in 2012



and 2013, moved regions and went to Scotland to benefit from weaker regulations elsewhere. In addition, in 2014, the Republic of Ireland tightened its waste management regime, so we are even more open to stolen scrap metal entering the recycling system in Northern Ireland without a mandatory scheme ensuring traceability.

I undertook significant consultation in coming to the principles in my Bill. I held a briefing session in Stormont as part of that process. I had MLAs and interested parties along. I was joined and supported by the Federation of Small Businesses and the Northern Ireland utilities group, which represents Northern Ireland Electricity, Northern Ireland Water, British Telecom and Translink — public bodies and service companies that have suffered considerable expense, disruption and loss of service as a result of the theft of metal. I would like to put on record my appreciation for its encouragement and support, and in particular its coordinators, Sam Gibson of NIE and, now, George Ong of Northern Ireland Water. I also invited the scrap metal industry to an information evening at Stormont where a briefing was given by Ian Hetherington of the British Metals Recycling Association who spoke of his experience of the GB legislation. About 30 interested parties from across Northern Ireland attended.

The consultation was available in paper form as well as online. A total of 66 responses were received, of which 55 were completed fully. Seventy-five per cent of respondents thought that the current provisions for regulating scrap metals were inadequate; 75% thought that the voluntary code was not sufficient; and a massive 85% thought that additional legislation was required to combat metal theft. Almost 82% thought that photographic ID should be required to prove identity when selling scrap metal to a dealer, and 85% agreed that vehicle registration should be recorded when selling. I built those provisions into my Bill.

Concern was expressed about moving to a cashless system. I listened to the consultation and built in an initial limit for going cashless of £100, and the provision to reduce that figure if agreed in future. However, supplier details will have to be recorded to create traceability. The Bill will allow the Minister to amend further and possibly go cashless at some point by using secondary legislation.

### 8.00 pm

From the consultation and visits to scrap metal dealers, it was clear that the concept of a holding area to receive scrap metal would not be practical. Therefore, I removed that idea from the Bill except in the very limited area of suspicious material — for example, burnt or defaced copper or aluminium cable — which I suggest should be held for inspection if found as part of a delivery. The reason for that is that, in some parts of inner-city England, I saw where vacant office blocks had been stripped of all cables; the cables were literally taken outside and burnt to remove the plastic coating. Part of the reason for that was to remove traceability so that the thieves could not be discovered, and it may increase the value of the metal as well, because it is then reduced to the raw metal. Certainly, I would view it as a bad practice to allow that process to be adopted in Northern Ireland. I suggest that where burnt metal is delivered — it would be a very small proportion of any precious metal, such as copper or aluminium cable — it should be set aside for a limited period and the police advised to allow it to be inspected and ultimately,

potentially traced back to records showing who supplied that material to the dealer. Hopefully, by doing that, the practice will be discouraged.

In addition to reduced bureaucracy for dealers — small dealers in particular — I propose that customer details in sales of less than 50 kilograms would not have to be recorded. What does it matter to whom a second-hand door handle, car door or bonnet is sold? The English system would require the small dealer to record that information and take the identification details of the person to whom he sells that item. I view that as bureaucratic. There is no harm in keeping a record of the bigger items. In that way, if a car is stolen, at least the engine or gear box could not be sold that way in most instances and a degree of traceability is enabled.

The Department of the Environment is responsible for waste management licences for sites and monitoring of the transfer of waste material; it is also responsible for the maintenance of the environment and the prevention of pollution. It seems to me better to have one Department dealing with scrap metal dealer licences than two. In the English model, the Environment Agency has an interest in what is happening and also, potentially, the Ministry of Justice. In my consultation, 72% of those who responded agreed that there would be less bureaucracy by having only one Department involved and, I suggest, lower costs.

There was clear support for higher fines for serious and repeat offences; even imprisonment was considered.

Whilst I had hoped to introduce these measures within a year of the Bill gaining support in the Assembly, I recognise that we need to move at an appropriate speed to allow the industry to retrain and put in place all the necessary bits and pieces. In addition, over the next six months, Departments will be undergoing reorganisation, so I am open to allowing more time for introduction.

No concerns were expressed in the consultation about equality of opportunity or human rights implications. If anything, responses were supportive.

As regards the cost implications of the Bill, we can minimise costs if one Department handles this along with the other waste issues that it handles.

I mentioned earlier the Organised Crime Task Force report. There must be considerable costs, at present, in the bureaucratic, ineffective system that we have in taking a complaint to court and getting a judgement. Can we not introduce legislation, such as this, to speed the process up and produce quicker results? We have to remember that while illegal trading goes on, there will be costs to the environment.

Illegal traders will have scant regard for tracing where the material is from. Who knows what the cost will be to the public. I believe, therefore, that better legislation governing scrap metal dealers will bring savings to residential homes, businesses and churches — to a wide range of organisations — as well as potential savings to Departments that have to implement the legislation.

I have focused so far on the Environment Minister. What about the Justice Minister? Since its formation, the Department of Justice has faced huge challenges. It has been heavily involved in legal aid reform and prison reform. Scrap metal dealing has not been a priority. There have been, I daresay, much bigger issues at which

the Department has been directing its attention. It has appeared to be relatively satisfied with the voluntary scheme, which, I acknowledge, has brought about improvements, and there has been a significant reduction in the theft of scrap metal in Northern Ireland. I would highlight, however, that scrap metal theft is very closely related to the rewards that can be gained.

When I was researching this area, I came across a Home Office impact assessment of scrap metal theft in a document dated 22 February 2012. In it there is a diagram compiled by the British Transport Police showing that the level of metal theft is closely related to, guess what, the value of the metal. When the value of metal doubled, there was an increase in metal theft, because the rewards were greater and criminals were prepared to take greater risks. Likewise, when there was a significant reduction in the value of copper, lead or other metal prices, there was a considerable reduction in the level of theft. If you were to examine the current value of metals on the international market, you would see that there has been a steady decline from 2011-12. In fact, copper and lead prices are approximately half what they were at that time.

Why I am saying this? If we introduce legislation, I believe that we will be able to reduce metal theft even more in Northern Ireland, but, more importantly, we will protect ourselves when the price of metal increases again, when this will once more be a lucrative area for criminals to be involved in, because the risks and rewards are out of balance again. I am saying to Members that we have been successful in driving down the level of metal thefts in Northern Ireland, but I urge Members not to be complacent. If metal prices were to increase, we could expect the amount of theft to increase too.

I reiterate the point that whilst most scrap metal dealers in Northern Ireland have adopted the voluntary scheme, not all have, but the mobile scrap metal dealers, as far as I am aware, have not become involved in the scheme. There is a grey area where there is the potential for abuse.

I illustrated that, in Great Britain, the roving crime gangs moved north into Scotland. Indeed, in the Republic of Ireland, there were headlines about a Balkan gang flying in at the weekends to steal metal. This involves international organised crime; it is not just about lead being stolen off somebody's roof. There can be significant international criminal involvement.

In May 2015, at the Committee for Justice's stakeholder event on business crime, Wilfred Mitchell, from the Federation of Small Businesses, said:

*"One area of rural crime that has been of concern to our members is metal theft."*

At the same event, a representative of the Police Service of Northern Ireland indicated that there was ongoing concern and that:

*"If it were a mandatory code of conduct, it would make it much harder for metal to be sold on."*

— this is illegal metal that we are talking about —

*"That means that it would be much easier to reduce the incidence of metal theft."*

When I read that, it was clear to me that the PSNI could see the benefits of a mandatory scheme in helping to drive

down crime. That has certainly been the experience in England and Wales.

I wish to ensure that we do not face the future pain of being targeted when metal prices increase. Cables supplying the public have been stolen; manhole covers have been stolen, leaving dangerous openings in our roads and on our footpaths; and buildings have been destroyed by the removal of lead flashing and corporate pipes. I therefore argue that there is an urgent need for the legislation.

Daniel Greenberg, the experienced legislative draftsman, said that every piece of legislation, however apparently technical:

*"impacts on someone's life: and Assembly Members are directly responsible for authorising the interference. They cannot give that authority without being satisfied that the legislation is the best form reasonably possible to achieve the stated purpose, and that the purpose justifies the intrusion into people's lives and constraints on their liberty."*

In bringing the Bill forward, I have attempted to follow those principles.

I hope that Members agree that there is a need for the legislation and that I have included some protection to minimise bureaucracy. I hope that Members will support me and join me on a journey to scrutinise the legislation to ensure that we can make it the best legislation possible to protect our community, our homes and our businesses against the future risk of metal theft so that all will be able to live in Northern Ireland without the unwanted interference of criminals who disrupt lives and businesses. I ask for Members' support.

**Mrs Cameron:** I commend Mr Beggs for his work so far and for bringing the Scrap Metal Dealers Bill before the Assembly this evening. The Bill is a good example of how the Assembly can seek to resolve an issue that may not be particularly high-profile but nevertheless impacts greatly on those who are unfortunate enough to be the victim of crimes involving scrap metal theft. We heard much about that from the Member this evening. I support the principles of the Bill, and its drafting appears to have satisfactorily covered most of the main issues. I will therefore keep my remarks brief.

I am aware that there have been differing opinions on which Department should lead on the subject: whether it should come under the Department of Justice, as it is about metal theft, or the Department of the Environment, given the licensing element to the Bill. I can see the argument on both sides. I asked Mr Beggs, when he came before the Environment Committee, whether an Ad Hoc Joint Committee might be necessary, and he did not rule that out. What is important is that, whatever Department takes responsibility, full scrutiny of the Bill take place, assuming that the Bill passes its Second Stage. It is disappointing to see that we do not have a Minister here to answer that tonight, so we still do not know where it will sit.

As far as the Department of Justice is concerned in its dealings with scrap metal theft, it is clear that the current scheme that it operates, whereby there is only a voluntary arrangement in place, is not sufficient to prevent or deter the current levels of criminality. I note that, as far back as September 2012, the Northern Ireland Environment Agency's environmental crime unit came before the

Committee and expressed concern that the existing measures to reduce and combat the high levels of metal theft in Northern Ireland were not effective. It is clear from statistics received since then that it was right to be concerned. I trust that the Bill will address those concerns in a much more comprehensive way.

I recognise, of course, that there will be many concerns from scrap metal dealers, not least over the idea of moving towards a cashless system. Again, trusting that the Bill passes its Second Stage, the Committee will hear all those concerns in the near future. I support the general principles of the Bill.

**8.15 pm**

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom cúpla focal a rá.

I would like to say a few words in relation to the Bill.

I commend the Member for bringing the Bill to the Floor and for the work that he has done thus far. I can give him some reassurance that his Bill is certainly not going to be scrapped tonight by Sinn Féin, but I have some issues with it. I know that the Member brought the Bill to the Committee last Tuesday; unfortunately, I could not stay for the whole presentation. I certainly hope that the Member's intention with the Bill is to work with and protect the industry as much as to prevent an outlet for criminals. I hope that that is the full intention of the Member's Bill, because that is important.

At the inception of the Member's Bill away back in 2013, theft and crime in relation to copper, lead and other metals were prevalent. I think that has now dropped, but there is an opportunity to address it. I have had time to speak to some businesses over the weekend that shared some concerns about what the Member proposes. They believed that the voluntary scheme that they were working on was sufficient, but I see from some of the consultation that the Member carried out that a majority of consultees are in favour of legislation.

I just want to mention to the Member — I brought it up the last time, and the Member will know this already — that I know of some people who work in the construction industry, like plumbers and electricians, who, on occasion, collect small cuttings of copper wire: can the Member indicate to me whether those people, who might collect it or once or twice a year and bring a small amount of copper wire or piping to a scrap metal dealer, would require a collector's licence? In his winding up, maybe the Member can explain that to me. If we were down to that level, I would ask for consideration of exemptions in the Bill.

I am not too sure whether the Bill is going to the Environment Committee or the Justice Committee. What he is trying to do on the introduction of licensing may sit with DOE, but, ultimately, it is about organised crime and theft. That is a criminal issue, so you could argue that it lies within the justice system. It will be interesting to see who ends up with it. The Member who spoke previously mentioned an Ad Hoc Committee: that might be the way to go forward with thorough scrutiny in Committee.

I do not propose to keep Members back tonight after a long session on the previous Bill, but maybe in his summing up the Member could indicate the costings of all of this in terms of licences and the cost to businesses. Also, on

the issue of verification under clause 9, there is talk about photographic ID and the taking of information. I go back to my original point about a single operator going once a year or twice a year: it would be extreme for them to have to provide that information.

Also, in relation to cash transactions, the Member has specified £100 in that provision of the Bill. I just wonder if there is some scope, through an amendment, to increase that. I am just saying that in line with what I have indicated about the people who may visit the scrap metallur just to offload some cuttings. Basically, that is about all that I would like to say on the Bill.

Sorry, I have one other point, through you, Mr Principal Deputy Speaker. It is the issue of enforcement and the constable being able to go on site at any point to check. Will the Member elaborate a wee bit more on how that would work? Will he confirm whether the constable is part of the justice system or is a member of an enforcement team in DOE? Maybe we could get some clarity on how he proposes that would work out. Maybe it is down for discussion in Committee or during another phase of the Bill.

The Bill should regulate scrap metal dealers and effectively remove the outlet for criminals whilst not creating more red tape for business owners and undue burdens on the industry. Sin a bhfuil le rá agam. That is all that I have to say for now. I am content to let the Bill go through at this stage. I will support it.

**Mr A Maginness:** We are dealing with the general principles of the Bill today, and my party and I support its general principles. The principal objective of the Bill is to combat the trade of illegally obtained metal in Northern Ireland, particularly high-value metal such as copper and aluminium. The Bill seeks to do that by licensing the carrying on of scrap metal dealing businesses and certain aspects of the sale and purchase of metal in Northern Ireland. It is clear that there has been significant cost and disruption to private individuals, churches, schools and public and private bodies as a result of stolen metal. At present, there is no legislative requirement for those dealing in scrap metal to provide an audit trail and reduce the ease with which stolen property is traded.

The Bill's origins arise from the significant levels of theft of lead and copper in Belfast, the greater Belfast area and Northern Ireland in general. Metal is sometimes stolen as manhole covers and, at other times, from electricity substations and is then sold on by organised criminal gangs to scrap metal dealers. All those crimes have an immediate consequence for the public whether it is disruption to a service or the public cost of replacing the material. The illegal trade and sale of metal remains a lucrative business, and it is crucial that Northern Ireland has robust regulations that are able to tackle those crimes through targeting and through the regulation of scrap metal dealers.

The Bill seeks to provide new provisions for the further regulation of scrap dealers in Northern Ireland and to directly tackle the stealing and sale of metal. We must all support that. The Bill also aims to reduce the effect of thefts on victims and to protect resources overall. The Bill seeks to licence scrap metal businesses and regulate aspects of the sale and purchase of the metal.

There is a public concern and interest in more robust regulation in this area. My party has been clear that we are concerned about the rise in the theft of metal for sale. We believe that it is essential that organised criminal organisations no longer profit from these acts. The PSNI report 'Metal Theft in Northern Ireland: Quarterly Update to 31st March 2013' recorded that nearly 300 crimes of burglary, robbery and theft were related to metal. In 2015, an update on metal theft in Northern Ireland revealed that, this year, we have had 552 burglaries, robberies and offences relating to metal. Copper remains the most common metal, followed by lead. While the theft figures are still a cause for concern, they are something that we must deal with at source. In Mr Beggs's consultation, 75% of respondents believed that the current legislation was not adequate in detecting the trade in stolen metal. Another 75% believed that the voluntary code of guidance was not sufficient in dealing with metal theft, while 85% agreed that legislation was indeed necessary to combat the problem.

There is an issue, however, that has been raised by two Members, and that is that there is a departmental conflict over the Bill. The central issue of the Bill appears to be whose legislative remit it actually falls under — the Department of the Environment or the Department of Justice. Mr Beggs, as I understand it, believes that the Department of the Environment should be responsible for implementing the Bill, as scrap dealers are regulated under waste legislation; however, the DOE believes that the primary purpose of the Bill is the prevention of non-environmental crime and that it is not for the Department to deal with directly. I believe that the current waste framework directive intention is to protect the environment and the population's health in relation to the environment. Metal theft, upsetting or damaging as it is, does not really fall under this, as it is a crime of material. I suspect that, if the Bill falls into the DOE remit, the Department will need a serious investment of funds from the Executive in order to gain competency in criminal action and the tracking of financial mismanagement. That would provide an extra burden on the Department in dealing with something that is a non-environmental issue. It would be easier to leave the issue under Justice, which, through the PSNI and other relevant agencies, has the skills and knowledge required. Both sides have, indeed, compelling arguments, but I am of the opinion that, as the central purpose and principle of the Bill, as I stated earlier, is tackling metal theft crime, the implication of the legislation in dealing with that would naturally make it a Department of Justice issue. Further to that, I note that the legislation, in the form of the Scrap Metal Dealers Act 2013, in England was prepared by the Home Office and passed at Westminster, whereas, in Scotland, the Scottish Justice Directorate dealt with the legislation, not the equivalent Department of the Environment. Therefore, I argue that a precedent has been set by other legislatures, and the Northern Ireland Department of Justice — the body with the greatest equivalence to the Westminster and Scottish sponsoring Departments — is best placed to prepare the Bill.

At any rate, the implementation of the Bill and the reduction of metal crime will be greatly assisted by the joint efforts of the DOJ, DOE, PSNI and all related agencies working together after the completion of the Bill. I support the principle of the Bill, but I have to indicate that my party and I have reservations as to how it should be implemented. I wait for the authorities in the House

to decide on the allocation of the Bill. I am not sure who will make the decision. I understood that it would be the Business Committee. I have asked members of the Business Committee, but they seem to say, "Well, it's not really our responsibility. It is a matter for the Executive to make a decision in relation to who deals with the Bill". I wait with interest and some curiosity to see who will make the decision and to what Department the Bill will fall.

### 8.30 pm

**Ms Lo:** I welcome the opportunity to contribute to today's Second Stage debate as the Alliance Party's MLA for South Belfast. We support the principles of the Bill.

As Mr Beggs outlined, the purpose of the Bill is to license scrap metal dealers to carry out their business, to combat the trade of illegally obtained metal, to reduce the impact on victims of scrap metal crime, and to safeguard valuable resources for individuals and organisations. The Bill proposes to establish the Department of the Environment as the issuing body of the licence, whilst providing the PSNI with the right to enter and inspect the premises of licensed scrap metal dealers.

Clearly, there are cross-cutting issues that are relevant for both the DOE and the Department of Justice. As others have mentioned, as yet no Department has taken the lead in the Bill, although Mr Beggs argued that, given that DOE already issues licences to scrap metal dealers as part of the waste management licensing regime, it sits well with DOE to regulate that activity. He also argued that, with DOE issuing the licence and by linking it to existing regulations, there will be resulting efficiencies for Government and the industry.

Metal theft is not a victimless crime; it can cause great distress and expense to those who experience it. Over the years, I have seen numerous metal thefts in my constituency, such as people climbing onto roofs to steal lead flashing, which can cause damage to the roof as it loosens the slates and results in internal damage through rainwater getting in. There have also been incidents in south Belfast of criminals taking copper piping from vacant social housing properties, thereby causing flooding. That happened in the Village during the regeneration of the area and caused considerable problems. In February 2014, copper piping was stolen from a property in Camden Street, which led to a gas leak. That is not just a petty crime; it causes considerable damage and safety risks. I certainly agree that there is a need for more action, and, therefore, I welcome the Bill.

In England and Scotland, legislation is already in place, and the Republic of Ireland has also made similar provisions. We risk the displacement of those crimes to Northern Ireland if we are the only region not to have legislation on this. We need a concerted and coordinated effort from neighbouring countries to drive out those crimes.

Cashless dealings in England have proven to be effective. I understand that, in Northern Ireland, all transactions are done by cash. That means that there is no audit trail of financial dealings. Similarly, requiring identification for those who supply scrap metal would provide traceability if theft were to be investigated by the police.

It is unfortunate that the Bill has come to the House so late. It is so near the end of the mandate that it may not provide sufficient time for scrutiny by whichever Committee it is



assigned to. My party's position is that the Bill is better placed in the Department of the Environment, given that the operations of scrap metal dealers and other waste issues fall under the DOE as set out in the 2013 waste management strategy. The Bill is about the regulation of metal recycling facilities, and recycling is done for environmental reasons, which adds further weight for this being a DOE matter. If we look at England and Wales, it is the role of the local authority to lead on this. As we know, DOE is the Department that is responsible for local government. While there is undeniably a justice aspect to the Bill, especially in the case of prosecution, DOE should certainly collaborate. The Alliance Party is of the opinion that the Bill should be assigned to the Department of the Environment.

**Mr Girvan:** I congratulate Mr Beggs on bringing forward this private Member's Bill on dealing with the scrap metal industry.

I am not going to keep everybody very late, because I appreciate that hot potatoes seem to be on people's minds. This seems to be a bit of a hot potato for the two previous Members to speak, with one defending his Environment Minister's not wishing to take the Bill on and the other defending the Justice Minister's not wishing to take it on. We will just work our way around that.

This is an issue on which there is great interest, and it needs to be grasped and dealt with. Unfortunately, the criminal elements will always find a way of ensuring that they do not abide by whatever process exists. The voluntary system of registration and ensuring that records are held has obviously proven unworkable in its management. So, a mandatory approach is a necessity for ensuring that that happens. That would be of benefit and would give some form of traceability.

I want to make sure that the criminal elements who want to remove lead and copper from buildings receive the full penalties and cannot get rid of the items. That is where the problems arise: if they have a market, they will obviously be willing to engage in such criminal activity. As a consequence, it is vital that we do all within our power to ensure that there is some mechanism for accountability and traceability within an industry that has not had a great press. Putting forward a legal approach in a Bill is probably the way to do that.

I appreciate that one of the mechanisms concerns dealing with cash. Some people say that everything should be dealt with by plastic, but it is nice to have some money in your pocket and know what you are spending. If you work with plastic, you will not know what you have spent: if you start off in the morning with £20 in your pocket and you spend a few pounds, you know what you are left with at the end of the night. Unfortunately, you sometimes spend more when you are using plastic. A cashless society is not necessarily the route I want to go down.

There is major engagement on this. At the Committee Stage, we can tease out a number of concerns we have. We have to encourage those in the industry who have been good custodians and have voluntarily entered into the agreement. The views of those people have to be taken into account. There are those who have excluded themselves from registration, and they probably need more attention.

Mention was made of those who are mobile scrap merchants. There are many other things that can be termed as "mobile", and I do not want to go too far into that, but there are a number of criminal elements who only want to be "mobile". We need to put legislation in place.

I am happy to support the Bill's passage from Second Stage to the Committee Stage for scrutiny. There is work that needs to be done. We have reservations about some areas of the Bill, and I think we can come forward with something that will be workable.

**Mr Milne:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. At this stage, it has all been said, but, for the record, I will carry on with what I have here.

We have only recently been given this Bill. I thank Mr Beggs for the presentation that he made to the Committee on Tuesday. He was very thorough in his rationale for bringing forward this private Member's Bill. I do not think that anyone objects to the broad principle; that is certainly what I have heard tonight, anyway.

However, there are many questions still to be answered, not least about where the legislation belongs. This is repetitive of what has been said tonight. In England, it was dealt with through the Home Office. In Scotland, it was through the Justice Department. In the South of Ireland, a similar Bill, although unsuccessful, was also brought through the Justice Department. The reason, as has already been said, is that the main focus appears to be on tackling organised crime and increasing the powers of the enforcers, whether it is the PSNI or whoever, for the scrap metal industry. I accept that the DOE would have some role to play in terms of waste management and licensing, but, beyond that, everything else points to the Justice Department. If it is to proceed, consideration may need to be given to an Ad Hoc Committee, as was stated earlier this evening.

Additionally, any change to legislation needs to be harmonised with the Twenty-six Counties. Otherwise, it will do nothing to put off those involved in that type of activity; they will simply move their operation South of the border. It will serve no purpose at all. That is evidenced by the Scottish example after England and Wales enacted the Scrap Metals Dealers Act 2013.

Scrutiny of the Bill will fall to the Department determined by the Business Committee or whoever, as the Member to my left said, but at this stage, wherever it goes, bureaucracy needs to be kept to a minimum. Care must be taken to ensure that the customer's interaction at the scrapyards does not become so difficult or intrusive that the genuine customer is put off or is so expensive that the small dealer is put out of business.

I support the broad principles of the Bill.

**Mr Beggs:** I thank all the Members who contributed to this discussion and have indicated their support for the principles of the Bill.

Pam Cameron suggested an Ad Hoc Committee or joint Committee to deal with it. I understand that the Business Committee will decide what the future model will be, assuming that we continue through this process. It appears that we will today. I hope that Members will, ultimately, vote for it.

Cathal Boylan wanted to know about ensuring that we would not over-regulate the industry. He wanted to look at

costs that would flow from it. That has been quite central to my thinking. It is for that reason that I put in some weight exemptions to enable cashless transactions to occur up to a certain level. He asked about what would happen to the plumber and the electrician. I will be seeking advice from a lawyer. It was a draftsman who ultimately came up with the wording. Ultimately, a court or judge would finalise it. I suggest that, if there had not been any transaction in obtaining the bits and pieces by a tradesman, he would not be trading. If he had the items and some form of reward was given in exchange, I would have thought that that would be some form of transaction. I accept that it is certainly an area that needs to be clarified. It would be important that those working under it understand the rules.

The cost of a licence will be determined by the amount of bureaucracy that we build into the system. One of the issues that I have highlighted is this: will we require two sets of civil servants to examine this legislation as it goes through? If there were an application for a new licence, will there be two groups of people going out to look at a site?

One of my aims has been to try to reduce costs by minimising any sort of bureaucracy. He also enquired about the power of a constable to close a site down. That appears under a provision on dealing with unlicensed sites. If a site is clearly unlicensed, he would have the power to close it down. We are not talking about authorised sites; we are talking about unlicensed sites in that regard.

#### 8.45 pm

Alban Maginness supported the general principles of the Bill. I thank him for that. He highlighted the issue of the departmental conflict. That has been a problem from the beginning. Paul Girvan said that it was a bit of a hot potato. He talked about how everybody seemed to agree that it was a good idea but did not want to take it on board. He said that there was a feeling that somebody else should deal with it.

All I have to say to that is that the criminal does not care which Minister deals with it; the constituent whose lead flashing gets stolen or whose copper pipes get ripped out does not care which Minister deals with it. Where is our joined-up government? We need it dealt with, and dealt with efficiently. Let us not have a fight over whose Department is responsible for it. It is important that it is dealt with.

I am sure that, ultimately, both Departments will be required to interact, because there are issues involving justice and the environment, but we are not having to reinvent the wheel. Luckily, experienced draftsmen have already crafted the legislation in England and Wales and, indeed, Scotland. We just need to refine that to make it applicable to our situation. There is some good wording out there to base it on.

Anna Lo highlighted the theft of lead and copper, and the issues that she is aware of in her constituency. She mentioned an issue that I have not come across — how a gas leak had resulted from metal theft. So, it is not just a petty crime; major dangers can be caused to the public as a result of metal theft. This issue needs to be dealt with appropriately and with a degree of urgency, because it has taken too long already.

As I have said, legislation exists in other parts of the United Kingdom and, indeed, a traceability system is in

existence in the Republic of Ireland. Interestingly, she mentioned the fact that local authorities can have a role in England and Wales. With the reform of local government, perhaps there will be a review and a need for the involvement of local councils. Certainly, it is they who will have environmental officers on the ground in each area. I am open to that issue being taken forward. There certainly needs to be collaboration with the Justice Department and the Environment Department, as I said earlier in response to Paul Girvan's comment on it being a hot potato.

Ian Milne indicated his broad support, but he was concerned about the cross-border aspect. As I have explained, there is already a requirement for the audit and traceability of material being purchased at licensed dealers' sites in the Republic of Ireland, so it is us who are open for abuse at present, with material coming the other direction. Certainly, I agree with him that we need to keep bureaucracy to a minimum. When we look at this, we should not be arguing over the Department of the Environment or the Department of Justice. We have to look at the end consumer, the user and the businesses that will have to operate under the legislation, and we should be designing it to meet their needs, not those of civil servants who may have a particular specialism in the area. Certainly, their advice is needed to ensure that the legislation is got right, but we should be looking to the workings of the legislation to ensure that its costs are kept to a minimum and that it is able to do what it sets out to achieve.

One of the most telling aspects of this debate on the Bill is the empty ministerial chair.

That really does show the lack of joined-up government that we have had to date. I highlighted this issue several years ago in a question on the Programme for Government. I was referred to individual Departments. It is such a pity that this was not built into the Programme for Government at some stage, even belatedly, in order to recognise that, even though it is cross-departmental, there is a gap and that joined-up government should bring it forward.

I am pleased to have received general support for the principles of the Bill at this stage. I look forward to further scrutiny and to working with the Committee, whatever Committee is deemed to be appropriate to deal with it, to try to make sure that we deliver legislation which meets the needs of our constituents and minimises the disruption that could occur in their lives as a result of metal theft.

*Notice taken that 10 Members were not present.*

*House counted, and, there being fewer than 10 Members present, the Principal Deputy Speaker ordered the Division Bells to be rung.*

*Upon 10 Members being present —*

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Scrap Metal Dealers Bill [NIA 65/11-16] be agreed.*

**Mr Principal Deputy Speaker:** That concludes the Second Stage of the Scrap Metal Dealers Bill.

*Adjourned at 8.51 pm.*

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# Northern Ireland Assembly

Tuesday 17 November 2015

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

*Members observed two minutes' silence.*

## Executive Committee Business

### Rural Needs Bill: Second Stage

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** I beg to move

*That the Second Stage of the Rural Needs Bill  
[NIA 67/11-16] be agreed.*

This important Bill is designed to promote a fair and inclusive rural society and ensure the equitable treatment of our rural dwellers, who account for more than one third of our population across the North of Ireland. The Bill's primary purpose is to introduce a statutory duty on public authorities to consider rural needs when developing policy and delivering public services. The Bill, as a whole, will ensure that the consideration of rural needs becomes an integral part of policy development and service delivery across all sectors of government.

The proposals for this new legislation have been welcomed by stakeholders, who have expressed their strong support for its provisions. I am grateful to all those who responded to the public consultation on the policy proposals for the Bill, in written responses and at the public meetings that were held, and also to those stakeholders who provided input prior to the formal consultation exercise. Their comments have made a significant contribution to shaping the policy for the Bill and to the drafting of the Bill itself.

Before I set out the Bill's main provisions, I will outline why this new legislation is needed. The Executive first committed to rural proofing in 2002, and they reaffirmed their commitment in 2009. This means that policymakers within Departments are required to assess whether their policy proposals are likely to have any adverse impacts on rural dwellers. To date, however, this requirement to rural proof is a non-legislative one and, although there are examples of where it has been working well, good practice in rural proofing has been patchy.

It is evident that rural proofing is not being carried out in an effective, consistent, cohesive and transparent way. Rural stakeholders and respondents to my Department's policy consultation have been clear in their view that more needs to be done to improve rural proofing right across government so that it delivers real benefit to our rural communities. I believe that placing a statutory duty on government to consider rural needs, and providing mechanisms to support and monitor compliance with that duty, will help to ensure that the needs of rural dwellers are being properly considered as part of the Government's decision-making.

I am also of the view that, in this difficult financial climate, with increasing pressures on budgets, it is even more important that the potential impacts of policies on rural dwellers are assessed and addressed appropriately within available resources so that decisions about service provision are as well-informed and evidence-based as possible.

I turn now to the main provisions of the Bill. Clause 1 will introduce a statutory duty on public authorities to consider the social and economic needs of people in rural areas when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services. This duty will also apply to decisions on the funding associated with such policies, strategies, plans and public services. Initially, that obligation will be placed on all Departments and councils. However, clause 1 provides for my Department to specify, through subordinate legislation, other public authorities to which the provisions of the legislation will extend in future. Any such subordinate legislation will be subject to the draft affirmative procedure, which will allow for thorough scrutiny, through the Assembly's procedures, of any proposal to extend the scope of the legislation in that way. The use of subordinate legislation to extend the Bill to other public authorities will allow the new arrangements to embed effectively in central and local government before they are rolled out more widely. There will be further consultation on the other public bodies to which the provisions of the legislation should extend.

Clause 2 will enable my Department to support rural proofing by providing guidance, information and advice to public authorities about matters related to rural needs and ways of meeting them. It will also enable my Department to undertake, commission or support research into matters relating to rural needs.

Clause 3 introduces a mechanism for monitoring and reporting on how public authorities have considered rural needs. All Departments and district councils, as well as any other public authorities that may be specified in future, will have an obligation to gather information on how they meet their statutory duty to consider the needs of people in rural areas, and they will be required to provide that information to my Department. DARD will have a duty to collate the information provided to it and to prepare an annual report, which will be laid before the Assembly. As well as information about the consideration of rural needs, the annual report will include details on how my Department has fulfilled its additional functions under the Bill, such as the support role that I have just mentioned. These monitoring and reporting arrangements will provide

the Assembly with the opportunity to scrutinise how public authorities have met their statutory duty to consider rural needs and will provide for greater transparency and accountability on the rural proofing of government policy and service delivery.

The final provision of the Bill that I wish to highlight is the duty placed on my Department by clause 4 to make arrangements with public authorities for the purpose of securing cooperation and sharing of information between them. That provision will enable my Department, other Departments, district councils and any other public authorities that may be specified in future to work collaboratively and to exchange information and good practice where it is appropriate to do so. That will help to ensure a more cohesive and consistent approach across government to the consideration of rural needs.

In conclusion, I firmly believe that the Bill, if enacted, will provide a firm basis for the consistent, systematic, and effective consideration of rural needs. It will demonstrate government's commitment to help all citizens to enjoy equitable treatment, regardless of where they live. Therefore, I commend the Bill to the Assembly.

**Mr Irwin (The Chairperson of the Committee for Agriculture and Rural Development):** I speak today as Chairperson of the Committee for Agriculture and Rural Development and will represent the views of the Committee on the Bill. The Committee had a number of briefings on the Bill as it was developed and its policy proposals were firmed up. Our last two briefings were on 3 November and 19 May 2015. As the Minister outlined, the policy proposals were signed off by the Executive on 7 July, the Bill was drafted over last summer, and, on 20 October, the First Minister and the deputy First Minister agreed that it could be introduced using the urgent decision procedure.

At its meeting on 3 November, the Committee heard that the general purpose of the Bill is to impose a duty on public authorities to consider rural needs. Initially, that duty will extend to all Departments and to local government. It is anticipated by the Department that, in due course, it will be extended to all other public bodies. Therefore, the Bill will introduce a statutory duty on all Departments and district councils to consider the needs of people living in rural areas when developing policy and delivering public services.

The Minister has already outlined in her speech what each clause will do, so I will not go over that again today. Instead, I will outline some of the concerns that the Committee had when it last discussed the Bill. For example, we wanted to know what difference the Bill would make to rural communities and farmers. After all, the Executive have already committed to a rural-proofing obligation.

DARD has been unable to provide the Committee with any concrete information or research to inform it about how well or otherwise the rural-proofing obligation has been working in each Department. DARD officials told the Committee that, when it consulted on the Bill, respondents stated that there was a perception that rural proofing was undertaken in a patchy way. However, that is just a perception, and we have no definite proof that, in reality, this Bill is going to make a difference to rural communities and farmers. When we discussed the Bill with DARD, one member explored that aspect further, asking for specifics

about how the statutory duty might have affected the closure of rural schools. What he wanted to know was whether, if the Rural Needs Bill had been in place, it would have made any difference to the way in which decisions were taken or policy made on rural school closures.

The next issue that I draw attention to is the financial impact of the Bill. All Bills, when they are introduced in the Assembly, are accompanied by an explanatory and financial memorandum. That document is meant to outline the financial impacts of the Bill so that we in the Assembly and the wider public can see the implications for the public purse. At this time, with tight budgets and less money to go around, it is even more important that the financial implications of new laws are explained in detail to allow informed and full consideration, so we were disappointed to see that the draft memorandum has only one short paragraph on finance at paragraph 12. There is no real detail on the financial aspects of the Bill other than a vague sentence, which states:

*"The requirement across government to report on their functions under this Bill will require some additional administrative resource."*

I personally do not think that that is sufficient. Surely it would have been wise for DARD to have made some firmer assessment of the additional administrative support required and what that means in pounds and pence. That will be one of the key issues that we will explore with DARD officials if the Bill comes to us at Committee Stage. We will want to make sure that a proper assessment has been done of the financial impacts across central and local government. I would go as far as to say that the Committee will need proof that that assessment has been made before we are content to allow the Bill out of its Committee Stage.

The provisions in the Bill also impose a new duty on local government. We want to make sure that the new councils are aware of that duty, are prepared for it and have the budget and resources to carry it out. Again, we think that it should be DARD's duty to do that assessment before the Committee completes its scrutiny of the Bill. Similarly, the provisions in the Bill may, at some stage, be extended to a range of public bodies. That would be done after the Bill is enacted and after a period of bedding down in central and local government. I anticipate that the Committee will want to discuss what consultation DARD will have with public bodies on a range of issues, including which bodies should be on that list and how DARD will assess their capabilities to consider rural needs.

The next issue that I want to mention is how the provisions of the Bill will work in practice. How will the various duties be delivered? What will happen if they are not delivered? In other words, given that the Bill has no enforcement, how robust will it be? If the Bill is not proposing methods of sanction beyond those that are already available to the public, such as writing to the Department or their MLA, what tangible difference will the Bill make, and why are we doing it?

A further concern is defining certain terms in the Bill that we believe need further clarification. What is meant by "rural" and "needs"? How will "rural areas" be defined? Will DARD use the Northern Ireland Statistics and Research Agency (NISRA) definition, which is based on the size of settlements? Furthermore, with reference to NISRA, Assembly Members may be aware that NISRA already



provides guidance and recommendations to Departments and other public authorities on using spatial measures of deprivation in rural areas. What is the overlap with the Bill? Is DARD now taking on responsibility for a NISRA role and remit?

That is a broad overview of the Committee's thinking to date. I look forward to hearing what other Members have to say on the Bill today. Thank you.

10.45 am

**Mr McAleer:** Go raibh maith agat, a Cheann Comhairle. I take this opportunity to express support for the Bill as we reach Second Stage today. As the Minister quite rightly pointed out, 37% of people in the North of Ireland live in rural areas, which equates to about 670,000 people. Whilst there are many advantages of living in a rural area — I am one of the people who cherishes that — many exceptional challenges face people, which include isolation; very poor infrastructure; poor communication; and access to services. Indeed, during the Committee for Agriculture and Rural Development's tackling rural poverty and social isolation (TRPSI) inquiry, we heard of many examples from stakeholders. My constituency of West Tyrone has some of the most rural, isolated areas, such as the Sperrins, and Owenkillew, which is a super output area, is the number one most deprived area in the North of Ireland for lack of services. All that is compounded by the way in which deprivation is measured by NISRA, as a result of which, not one rural area in the North of Ireland is included in the top 10 most deprived areas, which has implications for funding and support for rural areas.

As for the bigger scheme, whilst we as a party welcome the Bill, we do not see it in isolation. We see it as an important part of a wider jigsaw and one of a package of measures to support and enhance rural areas. We are putting it in the context of important decisions on CAP reform and how the North is being treated as a single region as we progress towards an equal rate in the single farm payment. As we move into the incoming financial year, there is a well-funded £623 million rural development programme, LEADER funding for social and economic development in rural areas and the protection of the TRPSI budget.

As the Minister said, in 2002 and again in 2009, the Executive committed to rural proofing to realise the vision of fair and inclusive rural areas where people would have equal access to services. It is becoming increasingly clear, however, that the mechanism that was being used for rural proofing is not working. It is not sufficient to achieve the Executive's aim of a fair and inclusive rural society. For starters, the scheme that has been in place since 2002 is voluntary. It does not have a statutory basis, so there is no statutory obligation on government organisations or any other organisations to rural proof their policies. As the Minister said, it is patchy in areas, and, at a Committee evidence session at the outset of the policy, one official said that rural proofing was not included at the inception of policies but was a bolt-on at the end. We believe that this legislation will have the potential to have rural needs included at policy inception and policy development and not as some sort of bolt-on at the end.

From working in rural areas, being on the ARD Committee and involved in the rural community sector, we know that, but you do not have to take our word for it. Last year, the rural stakeholder forum, which was set up around this

time last year to consult with the Department on the need for a Bill, came up with a number of overriding themes and conclusions, one of which was that there is a need for more consistency across government. There is also a need for more transparency. The forum believes that the Rural Needs Bill will increase awareness of the need for rural proofing. A Bill will result in better application of proofing, leading to better outcomes for rural areas, and we support that. I should say that, in the context of our not looking at the Bill in isolation, our colleague Martin Ferris in Leinster House is also introducing a similar private Member's Bill in the other part of the island.

In conclusion, we feel that the Bill — its four clauses include the provision to extend the legislation using subordinate legislation — will be a major step towards achieving the Executive's objective of a fairer and more equitable rural society in which people and families will choose to live, work, learn and play. I commend the Bill.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Fáiltím roimh an deis labhairt ar an Dara Céim den Bhille seo. Creideann an páirtí seo gur gá le polasaí leas na tuaithe agus go bhfuil gá le reachtaíocht le déanamh cinnte de go bhfuil leas na tuaithe san áireamh agus polasaithe nua a gcur i bhfeidhm. Is ar an bhonn sin a chuirim fáilte roimh an Bhille. The SDLP has always believed that there needs to be strict adherence to a policy of rural proofing and that legislation from the Assembly is necessary to ensure that Departments do not carry out policies that have an adverse effect on the rural population. It is in that spirit that we welcome the Rural Needs Bill. We do, however, have some concerns about its implementation, as I will outline later.

Effective communication from DARD is necessary to ensure that rural proofing is in place to protect the interests of rural communities, and that, in turn, will strengthen their voice. DARD should always engage readily with rural communities to ensure the best outcome for those communities. The SDLP has said for some time that the Department must have a statutory role in promoting and encouraging other bodies to undertake rural proofing. The SDLP also believes that the DARD rural White Paper should be acted on and placed on a statutory basis. That would mean that voluntary and community-based support services would be given sustainable long-term funding.

The SDLP recognises the efforts that have been made since rural proofing was introduced in 2002 to make it more prevalent in departmental policymaking. However, it remains the case that no statutory obligation to carry out rural proofing has been in existence and, therefore, there was always the possibility that the rural communities would be ignored. Rural proofing has not received an appropriate amount of consideration and, as a result, many policies have passed through the House and through councils that have had an adverse effect on rural dwellers. One could say that the policy of rural proofing has, in some cases, been more honoured in the breach than in the observance.

The Bill is relatively short and contains the main headline provisions that our party would like to see. However, there are some omissions from the Bill and therefore some uncertainty. For example, a rolling programme of rural research upon which clear decisions of rural circumstance impact could be made would help any policymaker to rural proof a particular policy or decision. That is not apparent in the Bill, and there is not sufficient rigour to constitute

an ongoing analysis that will produce long-term benefit. Other support mechanisms, including the availability of rural information and analysis, need to be included in the Department's processes around the Bill. The SDLP wants to see a consistent database of rural-specific research that can be used to create policy that allows for and promotes the unique characteristics and features of rural communities.

One flaw in the Bill can be seen in the form of clause 3, and that is in relation to monitoring. Mr Irwin pointed out that there are no sanctions to enforce aspects of the Bill. We in the SDLP believe strongly that an independent monitoring arrangement should be built into the Bill. Many stakeholders have expressed to us that independence is required in the reporting arrangements, that it does not make sense for the Department that is promoting the Bill and its provisions to also carry out the monitoring, and that there may be a conflict of interest in that respect.

We believe that monitoring should be carried out by an independent organisation properly resourced to enable it to discharge that role. Stakeholders suggested that it would be appropriate for that body to continue research into rural change so that the process could be developed and modified to meet evolving needs. Perhaps Members should consider the mechanisms for rural research more fully as the Bill passes through the House.

The potential conflicts of interest that I have mentioned also apply to the proposed role for any interdepartmental committee on rural policy, where representatives of all Departments would be expected to monitor their own performance. An independent monitoring aspect is needed to ensure that not all processes are taking place in-house and to ensure best practice.

The rural development network stressed the need for implementation to be taken seriously by the Department. They pointed out as a lesson the failure of the implementation of the biodiversity duty placed on public bodies by the Wildlife and Natural Environment Act 2011. The draft guidelines appeared three years after the legislation and were too vague and ambiguous. They have still not been issued in their final form.

In conclusion, the SDLP is supportive of the policy aims in the Bill. The thrust of the Bill is to place a statutory duty on Departments to rural proof. That is welcome. However, there is fine tuning to do around implementation and monitoring. The SDLP will engage fully in the Bill process to ensure that that happens. Mar fhocal scoir, a Cheann Comhairle, ba mhaith liom mo bhuíochas a ghabháil leat arís, agus tacaím leis an Dara Céim den Bhille. We will be supporting the Second Stage of the Bill.

**Mr Beggs:** I rise on behalf of the Ulster Unionist Party to support this legislation. I live in a rural community and am a governor of a rural primary school, Glynn Primary School.

Rural proofing is needed, and the need for public bodies to carry it out has long been spoken about in the Chamber yet little has happened. For several years, the rural community was promised what was initially called a rural White Paper, a document designed to prepare the way for legislation that would protect the rights of rural dwellers to basic services. Out of that came the rural White Paper action plan, a broad-brush list of aspirations. Of the 90 proposed actions, however, 22 were merely commitments

to continue to do something as if the rural community should be grateful that services already available were not being withdrawn.

In the so-called action plan, there was an absence of specific and measurable targets against which Departments and Ministers could be held to account. It appeared to many that the plan, and much of the Department's hype around it, was being used simply as a fig leaf to try to present an image of something being done. Unfortunately, that set the tone for much of the debate since.

#### 11.00 am

At long last, and after unnecessary delay, DARD produced the Bill that is before us today. It places a duty on public authorities to consider rural needs. That is a laudable goal, but what exactly does it mean? My party hopes that it means a genuine grasp of the challenges of living in rural areas, and how decisions to change services will often have a very different impact in a rural community than in the middle of a town or city. Take education, for example. In recent years, we have had the widely discredited viability audits. They were followed by the wholly dysfunctional area planning process. Never mind not working in rural areas, it did not work in urban ones. Schools were assessed simply by looking at numbers on sheets, enrolments and deficits particularly. I highlight, in particular, the recent Audit Office report that showed that enrolment numbers, which were contributing to empty-seat calculations in our schools, can be out by as much as 20% in some schools, so the basis of those sheets and figures can be discredited. At present, 55% of Northern Ireland's primary schools and 20% of its post-primary schools are in rural areas. Many of them face an uncertain future as a result of the flawed belief in the minimum enrolment number of 105 pupils for primary schools and 500 for post-primary schools. Senior officials recently suggested that the minimum should be 800 or 900 pupils for post-primary schools. It is not at all surprising to see the recent viability audits revealing that rural schools are much more likely to be identified as "in stress" than their urban counterparts.

Schools, and indeed playgroups, are vital to maintaining the cohesion of rural communities. The school is something that the community generally gathers round, and it is vital in a rural community. Were a playgroup to lose funding and fall, the option of travelling to a nursery school would be removed, so I would like to see increased focus on practical issues to protect schools and playgroups. If a playgroup falls, it puts at risk local schools that the young people would naturally have attended, so this is very important to rural communities. Often, child-minding arrangements are with the extended family, and they may be able to deliver and collect the children from an adjacent school or playgroup. Further travel could endanger such arrangements or, as a result, require expensive additional childcare costs to be borne by rural families.

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

Since we are talking about protecting rural communities and working together cohesively, I highlight the case of Islandmagee Primary School. This is a particular example of how the system has not worked. Some 10 years ago, three primary schools — Ballypriormore, Kilcoan, Mullaghduh — agreed to amalgamate. It took

considerable effort for each school, its governors and parents to buy into that. Ultimately, it was agreed to move to a new-build site. There followed a protracted delay in the planning process before a site was established. Then, we had to wait for the funding for the site. In 2006, a site was eventually bought, but it took far too long. Next, what did we find? A minimum number of 105 pupils must be enrolled. Of course, that caused everything to be frozen, and there was no more development. The remaining two schools — one has since closed — have approximately 120 pupils. The annual number of births in the Islandmagee ward is growing; it went up from 20 in 2011 to 26 in the most recent figures, so there is clear sustainability. What do we have? Is this one of the schools that has been prioritised for new-build funding? No, that has yet to be delivered, and there is huge uncertainty. If Departments are going to talk about rural needs, they are going to have to deliver them. Actions speak an awful lot louder than words.

Northern Ireland has fallen far behind other jurisdictions in the UK in rural-proofing decisions on schools.

In England, for example, there is a presumption against the closure of rural schools, and Scottish authorities are legally required to explore alternatives, as well as look at the impact of closure, particularly any adverse effects on the local community.

It is worthwhile remembering that closing a smaller rural school would often lead to significant additional new costs, such as transport, and to adverse effects on the local community and parents. Indeed, a report by Ulster University found that if smaller post-primary schools in Northern Ireland were to close — all 76 of them — there would be a saving of only 0.9% of the entire school budget, due to the extra costs that would need to be met. Does the Department of Education care? Will this Bill make it care? We will have to wait and see.

The Bill should apply to every Executive decision that has an impact on rural communities. Education will be one of the most prominent Departments to be affected, but we cannot forget issues such as the future structure and delivery of local health services either. For example, had this Bill been in place, I wonder if changes to care for the elderly in their homes would be viewed any differently.

Much will come down to the interpretation of the Bill, not least the key phrase, “consider rural needs”. What exactly does it mean? Does it mean consider and change, if the Department or public bodies find that the proposal will have a damaging impact on rural communities, or does it mean consider and then progress, regardless of what has been found?

Clause 4 will be one of the most important clauses. It places a duty on DARD to secure cooperation and collaboration between Departments and district councils. With the new councils’ community planning role, there is the potential for them to play a much more significant role in planning for rural communities, and I hope that that will be the case.

Ulster Unionists are content that this legislation passes to the next stage; we will support it.

**Mr McCarthy:** As a member of the Agriculture Committee, I, on behalf of the Alliance Party, support the Second

Stage of the Rural Needs Bill. I concur with the comments made earlier by our Committee Chair.

The Alliance Party supports the implementation of an enhanced rural process across all Departments — and that is important, all Departments — because they all have a role to play in ensuring that all major policies and strategies are assessed to determine whether they will have a differential impact on rural areas. Where appropriate, adjustments must be made to take account of particular rural circumstances.

As an MLA for Strangford living on the Ards peninsula, a mainly rural area, I know all too well, as do others, that services in rural areas face a different range of challenges than those in other parts of Northern Ireland. Nevertheless, rural people and residents are entitled to, and deserve, the same as everyone else. Examples of those challenges include weaker infrastructure roll-out of, for example, broadband and gas heating. Indeed, it is still difficult for rural residents to get planning permission to build a dwelling for a family member, so that they can remain in that community. Another example is fewer public transport options. We must acknowledge the loneliness and isolation that can and does occur.

Something that concerns me greatly is the huge reduction in recent times in the provision of meals on wheels to rural residents. I recall being out on a delivery one morning to rural residents. I travelled down more than one long lane and I saw the difference that the arrival of meals on wheels made to the people there. Not only was it appreciated, but there was a face that those people could speak to — probably the first, and maybe the last, that they would see during the course of the day. That is an important aspect of rural need.

I am sure that all of us in this Chamber want the same quality of life for everyone in Northern Ireland, even if that means delivering services slightly differently in some places. My hope is that this Bill will go some of the way to ensuring that the difference in service delivery in rural areas is addressed. For example, as I said, a strategy to improve the availability of high-speed broadband could have to recognise that broadband is poor in rural areas to begin with, as indeed it is, and that this needs to be addressed. Or it could provide evidence that school reorganisation in rural areas would especially benefit from integrated education as some towns and villages would be able to sustain one school, but not two. My hope is that the model laid out in the Bill is one that ensures that public bodies are cognisant of needs. I will obviously work with my colleagues on the specific details of this part of the Committee’s scrutiny.

My final point is that Alliance has long advocated shared future proofing to ensure that policies promote sharing and not separation. I have yet to hear a cogent argument from supporters of this Bill as to why this approach is possible for rural needs but not for shared future needs. I hope that we will soon be able to apply the approach taken by the Bill to shared future legislation. I welcome the Minister’s contribution this morning and applaud the ideals contained in the Rural Needs Bill. I look forward to its successful progress through the House and onto the statute book.

**Mr Anderson:** As a member of the Agriculture and Rural Development Committee, I welcome the opportunity to speak on the Rural Needs Bill. It is a small Bill of seven

clauses, four of which contain the substance of the Bill, but it covers a big subject. It is of considerable relevance to many people, and I declare an interest in that I have been a rural dweller for most of my life.

At the outset, it is worth reminding ourselves of some of the key words covered by the Bill. The word "rural" is not defined in it, but, on the basis of the definition given by the Northern Ireland Statistics and Research Agency (NISRA), it means a settlement of fewer than 5,000 people. The term "rural needs", however, is defined in the Bill as meaning:

*"the social and economic needs of persons in rural areas."*

The countryside is at the heart of Northern Ireland life. Farming is one of the Province's oldest and most important industries. Many who work in our cities and towns choose to live in the countryside and rear their families there. Rural communities are an essential part of the fabric of society, but they have been disadvantaged and neglected for far too long.

The Bill seeks to address issues that have been of concern to rural dwellers for many years. Over those years, and more so in recent times, rural dwellers have lost many services and facilities. I frequently meet constituents who are very concerned about the reduction, or even the disappearance, of key facilities such as schools, banks, post offices, ATMs and so on. Often, the problem is exacerbated by cuts in public transport which make it even more difficult for rural dwellers to get into a town. This impacts on many folks in the countryside, but it has the most severe impact on vulnerable groups such as the elderly. Many rural dwellers are isolated, and many live alone.

*(Mr Speaker in the Chair)*

As part of the rural White Paper action plan, the Executive included a commitment to strive for a fair and inclusive rural society where rural dwellers enjoy the same quality of life as all others in the region. The consultation with key stakeholders that took place this time last year, along with the public consultation process that took place earlier this year, identified many of the problems that I have just outlined. The consultation also confirmed that there is broad support for legislation that puts the needs of the rural community onto a statutory footing.

#### 11.15 am

Although the Bill is being taken forward by the Agriculture and Rural Development Minister, it is very much a Bill that transcends Departments. It stems from a broader Executive commitment and depends for its effectiveness on the willingness of all key players to step up to the plate. The logic underpinning the Bill is to make sure that all major policies and initiatives are properly assessed to see how they impact on rural areas. The Bill requires that consideration is given to what extent, if any, a particular policy might adversely impact on the rural community. Crucially, that rural proofing will involve not only central government but local government, and the intention is that other public bodies will be involved in due course. The Bill gives DARD the power to name those by affirmative resolution. The Bill also gives an enabling power to DARD to provide guidance and advice and to commission research into rural needs. I hope that DARD will not be found wanting in those areas.

I welcome the provision in the Bill to require all relevant bodies to compile data and share information. I also welcome the requirement for DARD to produce an annual report. However, as with all those things, legislation is only effective if it works in practice. It will need the full commitment and active support of central and local government, as well as other public bodies. I also feel that the new councils in particular will have a pivotal role to play. I look forward with interest to further exploring those and other issues at Committee Stage. At this stage, I am content to give my support to the broad principles of the Bill.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. I would like to apologise to the Minister, the House and you for not being here for the start of the debate, but I want to make a few general comments regarding the Rural Needs Bill at Second Stage. It is a very important piece of legislation, and, in my opinion, it is long overdue. I am also delighted that the consultation with stakeholders and the wider public indicated widespread support for it, and all the comments of Members this morning have likewise done the same.

The Minister is to be commended for bringing the Bill forward. The Executive commitment to rural proofing in 2002, reaffirmed in 2009, was a step forward, but, without a legal requirement, it has not had the desired impact. During the recent TRPSI review and the motion debated here in the House a number of weeks ago on the multiple deprivation measures, we heard of the difficulties and inequalities for rural communities in access to services, opportunities and public funds, and the impact that that has on day-to-day life in the country.

Even the recent single planning policy statement failed, in my opinion, to make adequate provision for the rural dweller. Year on year, large numbers of young people who would have preferred to build in their local area have to relocate to urban settings. When the Regional Development Minister had to make savings in his Department, maintenance to rural roads and hedge cutting were among some of the first cuts to be made. Those roads may not have the same number of vehicles travelling on them as an A-class road, but, if they form part of your only route to and from your property, their quality affects not just your car but your safety.

If we want to sustain and grow our rural communities, which make up a large percentage of the North's population, they need to be supported and provided for. The Bill, if successful, will for the first time make it a statutory obligation for policymakers in central and local government to consider the needs of rural dwellers when developing policies and delivering public services. Importantly, it will also include an accountability mechanism.

I am delighted that, as stated earlier, Martin Ferris is bringing a similar piece of legislation to Leinster House. I look forward to a more detailed debate and discussion at the Committee Stage. That is my contribution this morning.

**Mr Allister:** No one will accuse the sponsor of this Bill of cluttering it with detail because there is a great dearth in that regard. Where that concerns me most is in respect of the reach of the Bill. As the Bill stands, it will apply only to Departments and councils and might never apply to anyone else. With so much policy delivered through arm's-length bodies, that is a fundamental flaw



and mistake, as it is often through those bodies that the detrimental decisions of which rural dwellers complain are taken. Let me give some examples. The Northern Ireland Environment Agency is, in my experience, one of the most anti-rural and anti-rural dweller operatives in Northern Ireland. Yet, unless and until the Minister gets round to putting it on a list, it will be exempt from the statutory requirement to have regard to rural needs.

In my constituency of North Antrim, we have a significant concentration of the poultry industry, which is connected with the historical existence of O’Kane and Moy Park. In recent months, many affected farmers have come to see me in despair because the planning applications that they have made to extend their poultry houses or to replace them with new up-to-date poultry houses are being blocked by the Northern Ireland Environment Agency. It has come up with a concern that, because of the prevailing wind direction, or some other contention, there is too much of an ammonia influence on a derelict bog in the middle of my constituency. For that reason, go-ahead farmers who are trying to provide for themselves and their families are being trumped by the Northern Ireland Environment Agency’s total disregard for rural needs.

I would very much like to see the Northern Ireland Environment Agency subject to a statutory duty to have regard to the social and economic needs of persons in rural areas. That would put a brake on the folly that it is pursuing in respect of many farmers in rural constituencies. It is a disappointment to me that, in the Bill, that statutory duty is not forthwith extended to bodies such as the Northern Ireland Environment Agency and the Education Authority. Other Members spoke of matters educational; why are they, too, not subject to that duty from the beginning? It would be very easily done. All you have to do is put in a schedule, as you see in much legislation, that is a list of the public bodies to which the legislation applies. That Minister would have an enabling power, by secondary legislation, to amend that list, to take from it or add to it, but they would be there from the outset rather than bringing in legislation that applies to Departments but not to their arm’s-length bodies and councils, however that circumvents the application of the legislation for as long as we think appropriate for the bodies that really matter.

I appeal to the House to address that matter so that the promise that is possible by applying a statutory duty in respect to rural needs and rural proofing might actually be delivered. It will only be delivered if you include in the Bill the deliverers of services to the rural community.

The Minister and the Committee need to look with great sympathy at the idea of activating the Bill at the highest possible level, at the earliest possible opportunity, and with the greatest possible effect on rural dwellers. That can be done by making sure that bodies such as the Northern Ireland Environment Agency are, as they should be, subject to a statutory duty to consider and have due regard to rural needs rather than, as at the moment, the Northern Ireland Environment Agency belligerently sets itself up to suppress and override rural needs. I trust that that point will be taken on board.

**Mrs O’Neill:** Go raibh maith agat, a Cheann Comhairle. I am grateful to all the Members who contributed to this morning’s Second Stage of the Bill. All contributions have been valuable and informative, and I want to try to address some of the issues that have been raised. Obviously, as

we move forward through the passage of the Bill, I am open to looking at some of the suggestions that have been made by Members throughout the course of this morning’s debate. Indeed, that is what the passage of the legislative process is for.

I think that most issues were covered initially by the Chair of the ARD Committee, so I will start by picking up on those. However, a thread of the same type of contribution certainly went through all of the debate. First, the Committee Chairperson asked why there is a need for the legislation. I strongly believe that a lot more can be done to improve the effectiveness, working and roll-out of rural proofing. It is fair to say that it has been patchy at best, and we cannot point to a very strong and good example of good practice in the past. So, any legislation that puts it on a statutory footing is to the benefit of rural dwellers — particularly when looking at strategic policymaking decisions — for all the reasons highlighted by quite a lot of the contributors in relation to the day-to-day challenges faced by people who live in rural areas.

For me, this is about having a consistent, cohesive and effective rural-proofing policy that is taken forward in a very transparent way, which allows all those policy decisions to be scrutinised so that rural people feel that their rights and entitlements are properly considered at the stage of inception of policy or strategic decisions that Declan McAleer referred to earlier.

The issue of resource implications was raised. I do not think that we are talking about large amounts of resource. This is something that is a change for Departments to do in the first year but Departments are already supposed to be doing it. They are supposed to carry out rural proofing of their policies. It is difficult, at this stage, to quantify precisely what the resource implication will be, but the long-term benefits for rural people will be that their needs are properly considered when it comes to strategic policy decisions being taken. Although the Bill puts in place a new monitoring and reporting arrangement, it is not anticipated that the resource allocation associated with that will be significant.

There is also the fact that my Department has set out clearly its willingness and intention to work with other Departments and councils on how the monitoring process will take place. My Department is certainly up for working with councils. In relation to that, someone referred to the potential administrative burden on councils. A new era of council structures has come into play. They are obviously actively involved in community planning. Alongside that work, rural development strategies are being developed for each of the LAGs. That, in itself, will mean that there is the proper and right opportunity that there needs to be for councils to embed, from their inception, how they are going to take forward policies and strategic decisions that cater for the needs of all the people that they represent in their council area. So, I do not believe that there is going to be a potentially increased administrative burden on councils.

It is a fair point to make that no sanctions for non-compliance are included in the Bill. It is difficult, at this stage, to set out what sanction would be appropriate in this context. However, the monitoring report will ensure that public authorities provide information on how they have complied with the duty, and that information will be made available. That, in itself, provides transparency and an opportunity for the rural proofing of each Department and

council to be properly scrutinised after the report has been laid, and that leads to the challenge function that allows for Departments and councils to be challenged around what they are or are not doing.

### 11.30 am

In relation to research, we need to be very clear — I think that Declan McAleer also made this point — that this is not something that we look at in isolation. The Bill puts the need to rural proof and for rural needs to be taken into account on a statutory footing. However, we also need to look at other measures that are out there, and I believe that research is a key area. In the past, the Department has taken forward research. Last month, we commissioned AFBI to undertake a three-year research project that aims to assess the impact of rural proofing in improving access to services and to explore alternative models for delivering effective joined-up government in policy development and service provision to rural areas. All those things are complementary and will lead to an improved situation and improved recognition of the needs of rural dwellers. For me, that is all very important and all very complementary work. DARD has an ongoing programme of research under its evidence and innovation strategy that will continue to evaluate existing policy.

One contributor asked how the Bill would sit with the rural White Paper action plan. Again, that is complementary to what we are trying to do with the Rural Needs Bill. Those two things will continue to complement each other, and, on the back of the legislation, I am committed to refreshing the rural White Paper action plan and seeing what other new initiatives can be taken forward across Departments.

With regard to why the word “rural” is not defined in the Bill, NISRA’s findings of the interdepartmental review of urban/rural classification were published in March this year, and that review established a new default urban/rural boundary with settlements of a population of less than 5,000 being considered as rural, which, as Members know, was previously 4,500. The new settlement classification also includes consideration of service provision, which is estimated on the basis of the drive time to the nearest settlement containing a population of at least 10,000. There is still some scope for flexibility in the urban/rural classification, with the NISRA report recommending that users should continue to define urban and rural in ways that are appropriate for different projects and programmes. However, defining “rural” is complex and it is an ongoing piece of work for that to be a definitive blanket definition across Departments. That work will very clearly come from the research that my Department has commissioned through AFBI.

I omitted to say in relation to research that clause 2 puts the Department on a statutory footing to support research into matters relating to rural needs. It is something that we are already doing and something that we are always open to do more of where the need is identified. That will help to form an evidence base for any additional policy decisions in the future.

I think that all Members wanted to know, when the legislation comes into force, whether it could require a wider group, including arm’s-length bodies, to consider rural needs. I look forward to that discussion throughout the course of the Bill. We consulted on that and, at this moment, I believe that a phased approach to the

application of the Bill’s provisions will allow for further consultation on those matters across all the arm’s length bodies. However, I am open to discussing that during the passage of the Bill and, if there is an opportunity to do that, I will be up for it. If we are not able to do it during the passage of the Bill, I will want to come back to it. I do not believe that the Bill will deliver what we intend it to deliver as it stands, and we will need to come back with subordinate legislation. However, if we are able to have it in the Bill, I am certainly open to that. As part of the consultation, a number of bodies indicated that they were already undertaking rural proofing. However, I believe that if they are taking policy decisions that impact on rural people, they also should be put on that statutory footing to do so.

I thank Members for their contributions to the debate. This is a small but effective piece of legislation that will make a difference to rural people. I look forward to the passage of the Bill and to engaging with Members and the Committee on how we can improve things where we can to make sure that, at the end of the legislative process, we come out with the strongest possible Bill. I commend the Bill to the House.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Rural Needs Bill [NIA 67/11-16] be agreed.*

**Mr Speaker:** That concludes the Second State of the Rural Needs Bill. The Bill stands referred to the Committee for Agriculture and Rural Development.

## Renewable Heat Incentive Schemes (Amendment) Regulations (Northern Ireland) 2015

**Mr Bell (The Minister of Enterprise, Trade and Investment):** I beg to move

*That the draft Renewable Heat Incentive Schemes (Amendment) Regulations (Northern Ireland) 2015 be approved.*

This statutory rule is being made under powers contained in the Energy Act 2011, which prescribes that these regulations are laid in draft for approval by affirmative resolution of the Assembly.

In addressing sustainable energy, our focus often falls on renewable electricity, yet a greater proportion of our energy use is for heat. That includes domestic central heating, heating of commercial premises and heating for industrial processes such as poultry production. Northern Ireland's predominant form of heating fuel is oil, in contrast to GB, where it is gas, which is a much cleaner fuel. The Executive are supporting the extension of the gas network through a grant of £30 million for gas to the west, and we hope to see that progress over the next few years, along with the extension of gas to east Down.

The Executive's principal vehicle for promoting renewable heat is the renewable heat incentive (RHI). That is designed to deliver the Executive's Programme for Government renewable heat targets of 4% by 2015 and 10% by 2020. That will contribute to the UK's target of 15% renewable energy by 2020, as required by the EU renewables directive. The non-domestic RHI was introduced in 2012. It incentivises the uptake of renewable heat technologies, such as biomass, heat pumps and solar thermal installations. It provides payments for 20 years, based on heat energy generated. The level of tariff is dependent on the size and type of technology and is calculated to cover capital costs, operating costs and non-financial hassle costs over the lifetime of the technology. Following that, the domestic RHI scheme was introduced in December 2014, replacing the earlier renewable heat premium payment scheme.

It was always the intention to introduce changes to the non-domestic scheme to make tariff changes and introduce cost control measures. Those were consulted on in 2013, but since then implementation of the domestic scheme has been given priority. These regulations begin the process of introducing measures to update the non-domestic scheme. First, new tariffs are being introduced for combined heat and power (CHP). That is to allow CHP projects to claim for their renewable heat under the RHI and their renewable electricity under the NI renewables obligation. Secondly, the medium biomass tariffs are being extended to encompass larger boilers. That will incentivise single larger boilers, and it brings Northern Ireland into line with GB. Thirdly, a tiered tariff and cap are being introduced for new small and medium biomass installations to ensure value for money.

Just under £38 million of funding has been provided by Treasury for the Northern Ireland RHI schemes during the five-year period 2011-16. However, low levels of uptake generated an underspend of around £15 million during the first four years. My Department's focus over the past 12 months has been on trying to improve the performance of

the RHI scheme to achieve the Executive's Programme for Government target and ensure that the renewable heating sector and the wider Northern Ireland economy benefit from the investment. To give one example, extensive advertising campaigns were conducted during 2013-14 and 2014-15. These have resulted in increased scheme uptake over the last 12 months. The total number of renewable heating installations under the non-domestic scheme has increased from just over 250 to over 1,600 during the last 14 months.

Current estimates suggest that around 6% of our total heating needs in Northern Ireland are now met through renewable heating technologies. In addition to the reduction in CO<sub>2</sub> emissions that that brings, the local Northern Ireland economy is benefiting from over £23 million of annual investment through the RHI schemes. That investment brings benefits in terms of job retention and creation in the energy services sector. Unfortunately, however, all that success comes at a cost. Total applications for the Northern Ireland non-domestic scheme are now exceeding our highest estimates. Therefore, we need to look at the full range of cost-control measures that have been introduced in GB. Of necessity, that will include measures to curtail the scheme should Treasury funding be restricted.

I will take a decision in the light of any announcements in the spending review. However, those are matters for another day. At this time, I ask Members to support the regulator.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire chomh maith. Thanks to the Minister as well. The Committee for Enterprise, Trade and Investment has closely followed the progress of the renewable heat incentive throughout the current mandate, from the outline proposals, which came to the Committee in June 2011, to the introduction of the non-domestic renewable heat incentive in November 2012 and the domestic RHI in December last year.

When it was introduced, the renewable heat incentive offered a structured means of providing long-term guaranteed financial assistance for renewable heat installations. The incentive is designed to provide a cost-effective option for consumers to switch to renewable sources of heat. It also provides an option for any consumer to avail themselves of a source of heating that can lead to lower CO<sub>2</sub> emissions, increased fuel security and an increase in local employment opportunities in the green energy sector. This statutory rule will provide the legislative basis for extending the non-domestic RHI scheme to offer support for heat generated from combined heat and power installations and will introduce a tiered tariff for non-domestic biomass installations to ensure affordability and value for money.

The Committee considered the SL1 at its meeting on 8 September and was content with the policy proposals at that time. However, that was 10 weeks ago, and the Committee had the opportunity to consider the SR being debated today only at this morning's meeting. The Committee was concerned that, following a 10-week lull between the SL1 and the SR, the Department was suddenly in a hurry to bring the SR to the Committee and get it passed in a plenary sitting within a matter of an hour or so. The Committee, therefore, questioned officials

on the reasons for the delay and for the subsequent sudden haste. Officials informed the Committee that the Department originally aimed for the legislation to come into effect on 4 November. However, they said that there was a delay in securing the financial and legal approvals. The Department was concerned to avoid a hiatus in the industry and, therefore, wanted to bring forward the legislation as quickly as possible.

The Committee for Enterprise, Trade and Investment supports the Renewable Heat Incentive Schemes (Amendment) Regulations (Northern Ireland) 2015 and recommends that the regulations be affirmed by the Assembly.

**Mr Bell:** I thank the Chairman for those very constructive remarks. Energy matters are, obviously, a major issue for the Assembly, as they are for local households and businesses. I take on board what the Chairman said, and I accept that it is somewhat unusual for a motion to be debated on the same day as scrutiny by the Committee for Enterprise, Trade and Investment. I know that he knows that my intention was to have the changes introduced from 4 November. However, due to the delay in progressing what were necessary legal and financial clearances, I was unable to bring it to the House earlier, but I wanted to do so as close to 4 November as possible.

#### 11.45 am

I am committed to expanding opportunities to provide greater choice for consumers, promoting more sustainable technologies, and supporting those who wish to change from conventional fossil fuel heating. The development of the renewable heat sector promotes a more diverse and competitive heating market in Northern Ireland. It brings new jobs and businesses and contributes to our targets for cutting carbon emissions. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That the draft Renewable Heat Incentive Schemes (Amendment) Regulations (Northern Ireland) 2015 be approved.*

## Private Members' Business

### Local Government (Numbers and Addresses of Buildings in Townlands) Bill: Second Stage

**Mr Flanagan:** I beg to move

*That the Second Stage of the Local Government (Numbers and Addresses of Buildings in Townlands) Bill [NIA 63/11-16] be agreed.*

Go raibh maith agat, a Cheann Comhairle. I am delighted to move the Bill's Second Stage and ask that a debate now be heard. At the outset, I want to thank all those people, particularly the staff in the Assembly's Bill Office, who have helped me through the formulation of the policy and the drafting of the Bill itself. It has been a long process, and I am glad that it has finally got to this stage. At one stage, I feared that we would never get this far. Thankfully, we are now at the Second Stage debate, in which Members from all parties can have their say on the issue, articulate what they think about the proposal in the Bill, and speak about the wider issue of the promotion and protection of townlands.

From my perspective, a Cheann Comhairle, this is a very simple and straightforward Bill, but the positive consequences of the change are potentially significant. As a Fermanagh man, I am acutely aware of the significance of townlands to many of our citizens. As someone who is proud of my own culture and heritage, I know that the townlands that we come from and live in are an important part of who we are and how we identify ourselves.

I am proud to come from the townland of Tullymore, the big bog. There are not too many people who say that they are proud to come from a bog, but I suppose it is the use of townlands that allow us to have wee misnomers like that in society. Tullymore is on the shores of Lough Erne outside the village of Garrison in County Fermanagh. The identity that we all get from our collective townlands is something that all of us, across society, are deeply proud of and attached to.

Across Ireland, townlands are an important part of our shared history. They were an integral part of how this nation was subdivided for the purposes of administration of government and also identity. Most people are proud of the identity given to us by our home village or town or even city. Even those of us who come from Fermanagh are proud of the county or province that we come from. Those of us who know what townland we come from are proud of it also.

Travelling around Ireland, I, like other Members, often get a good sense from people of how they identify themselves. In many counties on this island, there is a strong sense of townlands playing a crucial part in that identity but, in some parts, it is stronger than in others. In places like Fermanagh, where addresses were historically organised on the basis of the townland system, the notion, understanding and usage of townlands among the common language is very strong. At this stage, I pose this question to Members: are Members content with the level of usage of townlands in their area or constituency, or do they want to see further changes made to how we promote, protect and indeed save the use of townlands?



The purpose of the Bill is to protect townlands. In doing so, it would allow councils, if they so wish, to allocate numbers to properties based on the system of townlands rather than by road, which is the only way that it can be done under the current legislation. The Bill would amend the Local Government (Miscellaneous Provisions) Order 1995 to make provision about the allocation of numbers to buildings and the format of addresses.

Over the three years that I have been working on the Bill, I have engaged with some Members who did not know what a townland is never mind what their own townland is, so I think that it would be useful if I provide a brief overview of what a townland is and where it comes from.

**Mr McCarthy:** I am gratified that you were willing to give way. Does the Member recognise that, on probably two occasions in the lifetime of Stormont since its reestablishment, we had unanimous support for the retention of townland names and, as a result, have made significant progress, as shown in the very fact that the address of this establishment now has “Ballymiscaw” contained in it? The direction given from those motions was that all Departments and councils would encourage and use townland names, where possible.

**Mr Flanagan:** I thank the Member for his intervention. The debate that he and his now party leader brought on 1 October 2001 is something that I will reference later. I accept what the Member has said about there being unanimous support across the Chamber and society for the greater usage of townlands, particularly in the addressing system. The Assembly, under the stewardship of your predecessor, Mr Speaker, made great strides by adding the townland of Ballymiscaw to its address. It is right and proper that all correspondence emanating from this Building uses that townland, but I do not know how we can judge the extent to which the use of its townland name by this one institution, which does not correspond that much with people, protects and promotes townlands.

I contend that the Department of Agriculture and Rural Development including the townland when it issues single farm payment forms or sends letters to farmers notifying them that they are having an inspection or getting a fine or penalty of some kind — and it nearly always is — would be much better than the Assembly, as a corporate institution, using the townland. So there has been some positive progress made over the last 14 years, as a result of the motion that the Alliance Party brought and of the work that the Culture, Arts and Leisure Committee engaged in previously, but we are not there yet.

Unfortunately, despite all of that work, townlands are still not as prominent as they need to be. My proposal would not address that in totality, but it would provide an opportunity for some councils, where there is an appetite for it, to put townlands back at the heart of the addressing system — to allow people to understand what their address is, based on a townland system. That is what this proposal is about. I am not standing here telling you that this is going to be the solution to the eradication of townlands. All this does is provide councils with a mechanism by which they can offer and allocate addresses based on the townland system instead of the road name system, which was much lamented in 1973 by members from all parties.

I will return to my speech, Kieran, if you do not mind. Ireland was historically divided into four provinces — Ulster, Munster, Leinster and Connaught — which were then separated into counties. Those counties were further broken down into baronies which, in turn, were split into parishes, with each parish made up of a number of townlands. Across Ireland, there are 61,098 townlands, 16,400 of which are in the province of Ulster. There are 1,756 townlands in Antrim, 967 in Armagh, 2,010 in Cavan, 1,282 in Derry, 2,737 in Donegal, 1,336 in Down, 2,300 in Fermanagh, 2,181 in Tyrone and 1,850 in Monaghan. So, as you can see from each of those nine counties, townlands have considerable significance in each county, but some counties have a better record than others in promoting and protecting them.

In the last number of months, when doing a bit of research on finalising the work on the Bill, I discovered something that many Members who were here for the debate in 2001 will be aware of, but which caught me by surprise: Oliver Gibson, a DUP MLA, revealed that the townland system was also in operation in Sudan. I was not aware of that. I am not sure whether they copied us or we copied them. I have never been to Sudan, but I have no reason to doubt Mr Gibson in that regard. I hope that the people of Sudan find the townland system working well for them.

The issues surrounding townlands have been somewhat controversial, in some parts, over recent decades. The Local Government Act 1972, which constituted the district councils to administer the 26 local government districts created by the Local Government Boundaries Act 1971 and abolish the existing local authorities at the time, saw the introduction of road names for the first time, at the expense of the more widely recognised townland system. The introduction of a formal system of road names was adopted by 25 of the 26 councils. Fermanagh District Council stood alone in retaining townlands, with universal support from councillors from all political parties locally. During the 2001 debate, Members from all parties supported the stance of Fermanagh District Council in preserving townlands and using them as the principal part of the address.

However, Fermanagh District Council reluctantly moved to adopt a system of road names after a lengthy policy of internal debate amongst councillors of all parties. That policy was enacted on 1 February 2013. The decision to introduce a road name-based system was not taken lightly by the council and was taken only because current legislation does not allow the numbering of properties in a townland-based system. The council also agreed at the time to continue campaigning for the minor legislative change that I propose today.

As someone who used to run a business that was heavily reliant on the ability of individuals and businesses to pass credit checks, I understand why there was a desire by some in the county for a change to be made, but there was never a demand for the abandonment of the townland-based system. People were sick, sore and tired of not being able to order products for home delivery or pass a credit check, as the previous system was not compatible with that of the credit checking agencies. The way in which those credit checks and home deliveries work is that you simply type in your house number and postcode. Using the Pointer system that Land and Property Services (LPS) operates, a unique property reference number is

generated which then ties you to that property and allows credit checking agencies to ensure that you have a good credit record. It also enables GPS-based systems to allow satnav to find addresses very quickly. That was the problem in Fermanagh. That is why there was a call to implement a system whereby people could access credit and order things online and where a satnav-based system would work. There was never a demand to move away from a townland-based system. It was a very reluctant council that made that decision.

In my previous life, I spent far too much time on hold to credit checking agencies and other organisations trying to explain the uniqueness of the townland-based system in Fermanagh to people who were often based in the south of England, if they were that close. That was a huge problem for people: trying to get something as simple as a credit card, a mortgage or a mobile phone contract or ordering something from one of the multinational retailers online for home delivery caused huge problems. With the way in which technology has advanced, those should be fairly straightforward things for people to access. The whole reason why it was changed was to address those problems. The introduction of the road name-based system has largely dealt with some of those problems, but the knock-on effect has been the diminution of the use of townlands within common language and the threat that, because we do not have townlands at the heart of our addresses, future generations will not know or understand what their townland is. That is a huge concern for me, as it is for many other people in our society.

Despite the fact that the policy has now changed in the council — Fermanagh District Council previously enacted this policy which the 25 other councils had at the time — there remains a strong desire among the councillors on Fermanagh and Omagh District Council and in the population of Fermanagh to restore townlands to their former glory as the predominant part of the addresses of our properties. As I said, many people across the North have lamented the fact that the usage of townlands has largely ceased since the policy change of the early 1970s. The proposed change before the House today will allow councils, if they wish, to put townlands back in use as the principal part of addresses.

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

When speaking to people across the North as part of the public consultation, it is clear that there is a strong demand for the greater promotion and protection of townlands. I carried out a consultation exercise on the policy behind the Bill in September and October 2012. Over 80 responses to the consultation were received, including responses from individuals, groups involved in culture and heritage, political parties and local councils. The majority of respondents were supportive of the proposed change and of the greater use of townlands in society and in the address-based system. The reason behind that is that there is much concern about the declining use of townlands. Our townlands are in a very perilous state.

Fermanagh people were proud to be able to say that their county was the exception to the rule as a result of the council's policy of using townlands as the basis of allocating addresses. Everybody in the county knew what their townland was because their address was based on it. There was no confusion about where you lived or where

you got your identity from in your townland. However, due to the advancements in technology that I have mentioned and the change in the way in which businesses operate, the previous system was not sustainable, and some form of change was required.

## 12.00 noon

The old Fermanagh District Council's preferred option was that this exact change in policy would be made. The council wrote to successive Environment Ministers asking for the change to be made, but that request was rejected. I now seek to progress this legislative change through a private Member's Bill. I have consulted DOE officials, as well as the Minister, with regard to previous concerns about the Bill, and, in my view, the concerns and objections that emanated from DOE have now been addressed as a result of the requirement for councils to take account of guidance issued by DFP on how to implement a policy of allocating property numbers in a townland-based or non-linear system. I have also engaged with the director of mapping services in LPS to ensure that the Bill did not have any problematic points for LPS or DFP, which manages the Pointer address database. I am content that it does not, although I hear that some in DFP and the political management in that Department are not supportive of the Bill. That is no real surprise to me, because, when the Finance Minister was Environment Minister, her party colleagues from Fermanagh District Council wrote to her to ask her to make this change, and she refused to do it. I am not entirely surprised that Mrs Foster remains opposed to the Bill.

The Bill would provide councils with the option of numbering individual properties in townlands instead of on roads or in streets. It does not require them to do anything unless they wish to do so. The amendment would allow the townland name to be placed first in the address and to become the principal part of the address. The Bill also states that, if a council chooses to prioritise the townland name:

*“a council shall have regard to any guidance issued by the Department.”*

— the Department of Finance and Personnel. From my point of view, it is a straightforward policy change, and I encourage Members to approach it with an open mind.

I appeared at the Environment Committee last Thursday week and discussed the issue with Members from all parties. They all claimed to be supportive of townlands, but I hear feedback that some Members will vote against this proposal, which is changing the legislation to allow councils to better protect and promote townlands. I see the Bill as a progressive Bill that has a simple aim and objective. It would better protect and promote townlands, and allowing it to progress to Committee Stage would allow all those who are interested in saving townlands to bring forward their opinions and suggestions about what changes need to take place to ensure that townlands are not lost for ever.

As Mr McCarthy indicated, the Alliance Party tabled a motion in the House in October 2001, calling for each Department to adopt a policy of using and promoting townland names in all government correspondence and official documents. The motion was, of course, passed without any objections from Members. Members from all parties stood up and spoke in favour of retaining

townlands. In reality, little has changed. It was a non-binding motion asking Departments to use townlands in their correspondence, but correspondence from Departments is only one small aspect of it.

Changes have been made so that townlands are now included in the Pointer system, which is another important step in acknowledging that the townlands are there, but they are not always used. We have seen examples of people being issued with a driving licence and, because the licence is so small, their townland is often left out. When there are only three, four or five lines to use, people have their house number, road name, town, county and postcode, and there is no space left. It is looked at very pragmatically, and if anything is going to be left out it will be the townland because it is not the principal part of one's address. The change that we are trying to bring in will have the townland as the principal part of the address, so that, if anything was going to be dropped from the address, it would not be the townland. That was the complaint that Members had in 2001, but it is the complaint that society has had since the 1970s. While the Bill would not produce a solution overnight and ensure that townlands would be retained in addresses, it would do something much more pragmatic and give councils the opportunity to number properties in a townland and ensure that the townland appears at the top of the address.

Since 2001, there has been little improvement in the promotion of townlands in most areas. I think that we would all agree that much greater action needs to be taken to promote and protect townlands.

The motion had an impact in that material coming out from Stormont now includes the townland of Ballymiscaw, but I think that the issue is much greater than any literature, post, emails or communication coming from the Assembly as an institution. It is a much bigger problem than that, and I think that this small legislative change would help to further protect and promote townlands. It is not the panacea. It is not a total solution, but I think that it is better than what we have at the minute.

It is clear that some councils want to adopt this change. Not all councils are going to do it, but I repeat that I am not forcing a council to do anything that it does not want to do. Belfast City Council has clearly indicated that it does not want to make this legislative change, and that is fine. If Belfast City Council does not want to do it, I will not force it to do it. It is up to it whether it wants to do it or not. With legislation of this nature, where we are transferring the power to a local authority to make a decision, it is up to those councillors, and to the experts who they have employed in building control, to decide what system suits their needs best. I think that that is the approach that we need to take.

I want to highlight a number of the comments that were made by Members in 2001. Mr McCarthy will speak for himself, hopefully, so I will not rehash anything that he said. Mr McGrady said:

*"That sense of identity and heritage has been lost due to things such as numbering vague roads that can be up to 15 miles long." — [Official Report (Hansard), Bound Volume 12, p263, col 2].*

I think that that was a very fair comment, and that issue was raised at the Environment Committee when I appeared at it.

It is clear that some Members are going to flag up a potential issue as a red herring: that this policy change, if it is approved by the Assembly and enacted by a local authority, may present a difficulty for emergency services. However, during that same debate 14 years ago, Mr McGrady highlighted the fact that, in 2001, problems existed for ambulance drivers not being able to find a property on a 10-mile-long road. He said that, without knowing the townland in question, it is often impossible to find a property using the number and the road name because these roads go on for 10 or 15 miles and, unless you know where the numbers are, you might know which side of the road it is on, but it could be four miles away, 100 yards away or eight miles away. Unless you know the townland that it is in, local knowledge is not going to solve that problem.

Some Members may attempt to justify their opposition by raising the emergency services as an issue, but I want to put that issue to bed now and say that it is not a problem because most, if not all, emergency service vehicles and, indeed, individuals who are delivering goods to households and businesses will now use GPS technology or some form of satellite navigation system to find out where they are going and to get the quickest or shortest route. Allowing this change to go through will not impact on the use of satnav technology and the use of GPS systems, because each property will retain its unique property reference number through the Pointer system, which will then be given to the GPS and satnav organisations to direct people to the quickest or shortest way to finding a property. It will allow people to find properties more easily, but it will mean that we are not overly reliant on local knowledge and have a good balance of technology and local knowledge if you say that you are looking for a particular townland as opposed to looking for house number 297 on a particular road.

There are many roads across the North that are 13 miles long, if not longer, and, if an ambulance driver or a firefighter were looking for a property in an emergency, they genuinely would not have a notion where the house was without either some level of local knowledge or using GPS technology. This proposed legislative change would not make the solution any more challenging for those people, and I suggest to Members that the best way to establish this would be to engage with the emergency services through the Committee Stage of the Bill to explore whether this actually is an issue or not.

DUP MLA Oliver Gibson, who revealed that Sudan also used townlands, suggested:

*"for those of us who are forced to do so, the townland name should be placed above the road name." — [Official Report (Hansard), Bound Volume 12, p264, col 2].*

That seems to be in line with what I am proposing today. That is what he wanted to see, and that is what a number of Members wanted in 2001. The simple, pragmatic solution for those of us who claim to want to support townlands is to allow councils to number properties in townlands and put the townland above the road name.

Jim Shannon said:

*"the disappearance of townland names is further evidence of the eradication of our local culture and history."* — [Official Report (Hansard), Bound Volume 12, p266, col 1].

As we all know, Mr Shannon takes great interest in culture and heritage. I think that his comments about where townland names derive from and their meaning were very useful for all of us in providing the context for the significance that many of us, particularly those of us who live in rural communities, attach to our townland names.

The eradication of our local culture and history was well evidenced in Brian Friel's play 'Translations', which deals with the anglicisation of traditional place names from Irish to English in Donegal in the 1830s. The main characters in the play are working on the six-inch-to-the-mile map survey of Ireland for the Ordnance Survey, and a character called Owen acts as a translator and go-between for the English and Irish. Yolland and Owen work to translate local place names into English for the purposes of the map. "Druim Dubh", meaning "black shoulder" in Irish, becomes "Dromduff" in English, and "Poll na gCaorach", meaning "hole of the sheep" in Irish, becomes "Poolkerry". While Owen has no qualms about anglicising the names of places that form part of his heritage, Yolland, who is not actually from Ireland but has fallen in love with the place, is unhappy with what he perceives as a destruction of Irish culture and language.

David Ford, in his contribution to the debate in 2001, summed up perfectly what the problem with the current situation was, and, indeed, it remains to be the problem today. He highlighted the fact that Royal Mail and other such organisations will simply tolerate the use of townlands but not encourage it. He gave the specific example of going into a shop and providing his house number and postcode. The address generated, using a computer, often excluded his townland, as that field of the address is left out due to spacing issues on an envelope or a label. Often, it is done because these mailing companies send out tens of thousands of letters a day, and if they can remove one line from the address, it will save them a significant sum of money. The danger is that, if a line is going to be left out, it will be the townland name, which most of us hold very dear and want to see protected and sustained. Unfortunately, because there is no protection in law for townlands, that is not possible.

From my perspective, that is the crux of the problem: the fact that the townland will be left out if anything is going to be left out. In order to stop that, we need to put the townland in the principal part of the address at the top, because we cannot force private organisations and individuals to use townlands as much as I would like. For me, that would be the best solution: let us bring in a law forcing people to use townlands. I certainly do not think that that would be workable, but it might have the desired outcome that we all want. A compromise position, where we can get workable legislation that has the desired outcome of enhancing the use of townlands by making sure that they are put back at the heart of common language again, is to offer councils the opportunity to put townlands at the heart of the addressing system in their district.

From the outset, I have accepted that not all councils will introduce or implement that system, but some will and,

in those areas where they do, it will enhance the use of townlands. For me, that is a positive step. I think that, if the Bill is allowed to progress to Committee Stage, some other ideas might be brought forward either by Committee members, external individuals, organisations involved in the promotion of townlands or experts who deal with the issue. This will not solve the problem across our 11 councils. If one, two or three councils adopt the change, it will have a positive impact in those council areas, but it will not make much impact in other areas, apart from starting the debate on how important townlands are for our people, culture and heritage.

I want to reiterate that no council here is being forced to do anything that it does not want to do. We are merely transferring a power to a council and broadening the scope that a council has when allocating property numbers to addresses. I am open to exploring at the Committee Stage other protections and measures that can be taken to protect townlands. I am confident that other ideas will be added to complement the Bill, and I encourage Members to explore that further.

I want to pay tribute to two organisations that do an awful lot of good work in promoting and protecting townlands on a national basis: Logainm, which is the place names database of Ireland and is developed by Fiontar at Dublin City University; and the place names branch at the Department of Arts, Heritage and the Gaeltacht. I also want to commend those involved in the place name project, which researches the origin and meaning of place names across the North and is based at Queen's University Belfast. Projects and organisations like those have a key role in increasing understanding and awareness of townlands in society.

## 12.15 pm

I remember being in P6 in school, and the 20 of us in our class were asked to do a presentation on our own townland, what it meant, what it stood for and how it contributed to our identity. It was fascinating to see how 20 nine- or 10-year-olds had such a great understanding of their townland. What concerns me is that, if you were to pick 20 random people from other parts of the North, that understanding of their townland, what it means and where the name derives from would just not exist. There is an onus on us as legislators to do something to restore townlands to their rightful place.

Since the early 1970s, the use and understanding of townland names has been on a downward trajectory. We need to take appropriate action to stop that. Townlands are in a perilous state at the minute. If it were not for Fermanagh, they would have been abolished and would have disappeared off the system years ago. The fact that townlands are now included in Pointer is a positive step, but it is not the solution; it is not as far as we can go. There are still too many instances of us getting correspondence from Departments and official sources in which the townland name is not included in the address. It is removed as a cost-saving measure or to save space on a label, an envelope and so on. I do not think that they would get away with it if the townland name were at the top of the address.

It is no coincidence to me that understanding and awareness of townlands is much stronger in Fermanagh than in any other area in the North. It is clearly a result



of the historical and recent use of townlands in our addressing system. As an Assembly, we need to learn from that. We need to realise that the best way to promote and protect townland names is to have them as a principal part of the address, and we can do that by allowing councils to have the choice of allocating property numbers using the townland-based system if they so wish.

We should learn from the positive leadership that Fermanagh District Council showed for 40 years by refusing to implement a road name-based system. The sky did not fall in. The council did it without legislation to back it up. Most people in Fermanagh want to return to a system in which their address is allocated on the basis of their townland. That is the change that I propose through the legislation. I encourage Members to support the Bill and allow it to go to Committee Stage to see what complementary measures we can add to it.

**Ms Lo (The Chairperson of the Committee for the Environment):** I welcome the opportunity to speak in today's debate on the Second Stage of the Local Government (Numbers and Addresses of Buildings in Townlands) Bill.

Following the Bill's introduction on 12 October, the Committee agreed to seek an oral briefing from the Bill's sponsor, Mr Phil Flanagan. Mr Flanagan briefed the Committee at its meeting on 5 November. He outlined the purpose of the Bill and his rationale for bringing it forward. As he has outlined, the Bill will amend the Local Government (Miscellaneous Provisions) Order 1995. The amendment would provide councils with the option of numbering individual properties within townlands instead of using roads or streets and would allow the townland name to be placed first in the address and thus become the principal part of it. During the briefing, Committee members were sympathetic towards the intent of the Bill, which is to promote the use of townlands. However, some questioned whether legislation was the best mechanism for that. Other members expressed support for the proposals.

Committee members asked Mr Flanagan for his rationale for wishing to legislate rather than to encourage councils to adopt the proposals voluntarily. He advised the Committee that people need a unique property indicator to access credit checks and background checks, which they would not be afforded using an unauthorised system. He said that a voluntary approach would not therefore work. The Committee heard that, in 2013, Fermanagh District Council had to move away from a townland system to a road names system and that the decision was taken only because the current legislation did not allow the numbering of properties in a townland system.

The Committee discussed the responses to Mr Flanagan's 2012 consultation and noted that, of the then 26 councils, only three stated that they would consider adopting the system if it was introduced. Belfast City Council expressed concerns that, due to continuous development in the city, the use of townlands had more or less stopped and that it would not work in Belfast.

The Committee also heard that the financial implications of the Bill, if enacted, are twofold. First, there are financial implications for a council that wants to change its existing system, and, secondly, minor changes to the Pointer system will be required by Land and Property Services (LPS) and the Department of Finance and Personnel.

The Committee is aware that the Bill does not place a mandatory obligation on councils to adopt the system but rather provides a legislative base should any council wish to do so. Therefore, only councils that opt to move to a townlands system would bear the costs, and it would be a matter for that council to resource it.

The Committee also queried the implications for emergency services and how they would find addresses, as Mr Flanagan referred to earlier. The Committee heard that that is an area of concern, not only for a council that introduces a townlands system but for councils that have roads that are 13, 15 or 20 miles long, and that a legislative change would provide each address with a unique property reference number, addressing issues with GPS compatibility. The Committee also queried the process of numbering individual properties in townlands. The Bill, however, makes provision for DFP to issue guidance that the council has to have regard to. Each council will decide how best to number properties in a townlands system.

The Committee questioned the practicalities of how LPS would operate a system for councils that adopt different approaches, namely road names or townlands. The Committee heard that the system already exists with LPS, that there is a list of data fields and that the townland name would be moved above the road name. Mr Flanagan advised that the biggest challenge for LPS is deciding what parameters to include in the guidance to councils.

Other members expressed their support for the legislative route, given the threat of losing the use of townland names. Options of possible funding streams were discussed. That concludes my comments as Chair of the Committee.

Mr Principal Deputy Speaker, with your indulgence, I would like to speak as an individual Member representing the Alliance Party. As my party colleague Mr McCarthy and Mr Flanagan mentioned, the Alliance Party previously instigated two motions in support of the inclusion of townlands, so my party broadly supports the principle of the Bill.

I am sympathetic to the wish to preserve the use of townland names for heritage reasons. The Bill aims to amend current legislation to allow local councils, if they wish, to number properties based on the townland system, with street or road names being included after the townland name. My main reservations are about the confusion that could arise from numbering properties based on townlands rather than using a linear basis according to streets. Just putting the townland name above the name of the road would be straightforward. However, changing the whole system of numbers and postcodes seems rather complicated. A young friend of mine from County Fermanagh was buying a house in my constituency of South Belfast. All bills and statements used his townland address, an address that his mortgage provider did not recognise. That caused him a great deal of trouble when trying to prove that he had lived in a fixed abode for a number of years.

I welcome the Bill's intent to deal with practical issues but I wonder if the proposed change might just cause further confusion. I understand that there will be guidance from DOE and DFP that will enable councils to adopt these changes if they wish.

I am content to support the Bill. If it proceeds to Committee Stage, I look forward to scrutinising it in more detail.

**Mrs Cameron:** I appreciate the dedication and commitment that the Member has given to the subject, which is obviously precious to him. I read almost the entire information pack on the issue and heard Mr Flanagan present to the Environment Committee in relation to his proposed Bill.

I am at a loss to understand why the Member feels it necessary to propose that the use of townlands in postal addresses should be enshrined in legislation. From my reading, this concern by Mr Flanagan is rooted solely in County Fermanagh, and perhaps in the past, Fermanagh District Council.

The proposal is that the Assembly should legislate to allow councils, if they desire, to re-template their addresses by putting their townland and house number at the forefront of the address. The first question I would ask is this: "Why?". Why would we legislate to do something that there is no need to do? Why would we legislate to bring in confusion?

What consultation has the Member had with bodies such as the emergency services, including the police, the Ambulance Service and firefighters, Royal Mail, the Post Office, and not to mention schools, colleges, health care providers such as doctors, district nurses, carers, social workers and occupational therapists, among others.

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

**Mrs Cameron:** No, I am fine, thanks.

Do not get me wrong, I completely understand the historical value of retaining the knowledge and use of townlands throughout Northern Ireland, but there is nothing to hinder their use. Many councils value the retention and use of townland names, as does the Assembly already.

There are many, including those in my party, who wish to see townland names used and remembered, but does it mean that we need legislation to do that? Can the Assembly's time and efforts not be put to better use in the remaining months of this mandate?

A simple way to help retain these much-valued names is to continue to talk about them, to talk about them in schools, and voluntarily use the townland in addresses. Perhaps as council signage is being replaced — and we understand the financial restraints that our new councils are under — they could add the townland beneath the street or road to demonstrate where the street or road is within a townland.

The Member will be aware that as well as addresses being used by a host of agencies for domestic purposes, there is the more serious matter of addresses being used to identify criminal records of offenders. Given the concerns, particularly in recent years, about sex offenders in rural communities, I would be extremely concerned that changing the addresses of offenders may allow them to evade identification by way of some computerised loophole.

I have an understanding of what is being proposed but, in truth, I do not see the value of this piece of legislation. Our time and efforts can be put to better use in seeing through the many pieces of legislation that require our attention in the remaining months of this mandate.

I and my party do not support the motion.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ba mhaith liom cúpla focal a rá i bhfabhar an bhille seo. I rise to support and speak in favour of the Bill.

**12.30 pm**

I would like to pay tribute to Mr Flanagan for the work he has done, and the way he has presented himself in presenting this Bill to the Floor of the House, and also for the way he conducted himself in Committee when he presented last week. I listened to the Member who spoke previously and I think it is a wee bit disingenuous to ask why this Bill should be coming forward. I think that any Member should have an opportunity to use this forum to bring forward any piece of legislation, and I would like to take this opportunity to support Mr Flanagan in that.

I am from a small town in a rural area; I come from the townland of Caramoyle. Mr Bradley might be able to help me in relation to the understanding of the name. I think it is called "the bald friend", roughly translated.

**Mr D Bradley:** Yes.

**Mr Boylan:** That is the townland that I reside in and come from. I am very proud of it. I come from an area where there are a number of townlands, as in Fermanagh to which Mr Flanagan referred earlier. I know that, in the likes of Derrynoose, there are 22 townlands, a number of them with very beautiful names.

The important thing is the connection of the townland to the people and their identity. If you go into many's a graveyard in the countryside, you will see on many's a headstone the names of many's a townland, and people were very proud to come from and live in them. Townlands, as my colleague has outlined, have a historical, cultural and linguistic significance within the island of Ireland, predating parishes and counties. They tell a story of the local area and the people who lived there. They provide a sense of belonging and a link to the history of the area. The change of format in our addresses in the 1960s has meant that the younger generation, in particular, has little or no knowledge of the name of the townland they live in. That is very sad.

I welcome the efforts made by many in local government and the Departments to include townland names in their correspondence. However, I believe that, without legislative requirement, the format can vary and it relies on goodwill. I support Mr Flanagan in trying to introduce this option to give local authorities the chance to retain townland names so that the next generation will not forget them and will understand the significance and identity that comes with them.

I support the preservation of townlands and look forward to discussing this at Committee. I support the Bill.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Éirím ar an ócáid seo le tacaíocht a thabhairt don Bhille. I support the Bill. Rugadh mise i mbaile fearainn darb ainm Cloch Aireamhán a bhí suite taobh leis an Charraig Bhreac. Is doiligh ainmneacha chomh deas, chomh ceolmhar, nó chomh saibhir a fháil ná ainmneacha ár gcuid bailte fearainn. I was born in Cloughirvin, beside Carrickbrack. It would be difficult to get names that are as attractive in their sound, meaning and richness as the names of our townlands. For example, in my constituency, we have Annacloghmullin, Tullymacreeve, Ballymacdermot, Ballimar, Lisummon, Mullaghbane, and I could go on. A particularly attractive one that I came across recently was Achadh na bhFáinleog, «the field of the swallows.» That is a beautiful name, is it not?

As I said, enclosed within our townland names is a wealth of history. Anyone who has had the opportunity of reading any of the publications of the Place-Name Project at Queen's University will know that the process of understanding a single place name involves a huge amount of historical research. I would probably take issue with Mr Boylan's interpretation of Caramoyle and refer it to someone more learned than me for deliberation, but I hazard a guess that «bald friend» may not be the correct rendition of that name. I may be corrected. In any case, as I said, the names are rich in history, as the Place-Name Project shows very clearly. What a pity that a previous Finance Minister, who knew the cost of everything and the value of nothing, would not provide the match funding to allow the Place-Name Project at Queen's to continue. I pay tribute to the work of Dr Kay Muhr and Dr Patrick McKay, who provided much of the material, and, of course, to the others who helped them and went before them.

Place names tell us about the geography, topography and social history of our local area, which families lived in which places and so on. They are well worth preserving for many reasons. The play, «Translations», which Mr Flanagan referred to, is of course about the adoption of our place names from the original Irish into English. The anglicised versions still hold a reflection of the original Irish. Of course, I am also in favour of the Irish version of the place names being available.

I do not frequently attend Orange parades, but I do see the photographs of the Twelfth in the local paper. One of the things that I have remarked on is that almost all the Orange lodge banners have townland names, such as Altnaveigh, Divernagh, Creeve, Finnard and, here in Belfast, Ballynafeigh. The Orange Order is doing its bit to preserve townland names, and I think that we should support it in that.

Mr Flanagan spoke of the huge amount of work done by many people locally in County Fermanagh. In my county of Armagh, there is an enlightened awareness of the value of townland names. Some communities have marked out the boundaries of their townland in granite. When you are driving through the area — I am sure that Mr Boylan has noticed this — you will see the townlands marked by very attractive local granite stones. I have seen the same thing in other areas, such as the Connemara Gaeltacht.

I believe that, in many areas, townland names are not as prominently in use as they could be. Mr Flanagan's Bill will help to put them back into pole position in those council areas that choose to adopt it. I am very much in favour of preserving townlands, and my party agrees with me, I am glad to say. I would pose a couple of questions to Mr Flanagan. Has he taken into account the Good Friday Agreement, particularly paragraph 4 on economic, social and cultural issues?

I also ask him to look at the European Charter for Regional or Minority Languages, particularly article 7, paragraph 2. Perhaps he will also think of discussing his proposals with the Minister of Culture, Arts and Leisure, in the light of the responses received on the proposed Irish language Bill.

Tá mé sásta tacaíocht a thabhairt don Bhille faoi mar atá sé san am i láthair ag an Dara Céim. Ar ndóigh, beidh faill agus deis againn na moltaí atá sa Bhille a iniúchadh níos míne agus níos doimhne sna céimeanna den Bhille.

Gabhaim buíochas leat arís, a LeasCheann Comhairle, as deis labhartha a thabhairt dom.

I am glad to support the Bill. We will have the opportunity to explore and delve into its provisions at the various legislative stages, and I am sure that my party will be happy to cooperate with Mr Flanagan.

**Mrs Overend:** I rise on behalf of the Ulster Unionist Party. I very much support the use of townland names; in fact, I generally use my townland name in my postal address. It is Ballymacpeake, which means «homestead of the Macpeakes». It was a tradition passed down by my husband's ancestors, the McCaugheys, who lived there before us. Likewise, I spell the name of my road in the same way as my family did, despite it being different from the way in which it is spelled on the sign at the end of the road. It is a family tradition, and I follow it. I have experienced no problems including my townland name on official documentation, and I generally submit the townland name after the road name and before the town name. I therefore see no problem with continuing that practice.

As for the proposal to enable councils to bring forward changes to addresses so that houses will be numbered by townland rather than by road, I do not see why anyone would abandon the current, workable system. Yes, townlands are precious, particularly for those of us living in rural areas, and I commend the Member for his work, but that affection needs to be balanced with a sensible, effective and efficient address system. Given the choice between having their townland on the first line of their address or having a system that allows ordinary, day-to-day services to function, I hazard a guess that people would choose the latter.

It makes perfect sense to me to have houses numbered along the route used to get to a place. It seems to me that numbering houses by townland would send us back in time to when people would walk from one townland to another, visiting close friends across fields rather than by road. The world is a much smaller place now than in the days of walking to a neighbour's house across the townland. Delivery vans can follow road maps, knowing that even numbers are on one side of the road and odd numbers on the other.

I cannot imagine numbering houses in a townland. Where would we start? Would the numbers go clockwise or anticlockwise? Would we start from the centre and work outwards or vice versa? How easy it would be to confuse the postman. In addition, what would happen on roads that pass through several — sometimes, many — townlands? Sometimes, just by the run of the road, you can enter a townland, leave it and then enter it again. The confusion of such a system, including the sheer frustration of the people affected by the change, should not be underestimated.

Worse still, what about the blue-light services? Such a system would most certainly confuse ambulance drivers, who depend on a simple road number system to find addresses, especially when time is of the essence and an emergency has been called. In the depths of rural Northern Ireland, where there is no mobile signal for GPS systems, surely a simple road network system is the best. During his evidence to the Committee, Mr Flanagan was asked about these services. He took an almost primitive attitude. He claimed that the police, the fire brigade and the Northern Ireland Ambulance Service would depend on

local knowledge. I remind him that it is 2015, and he should not totally dismiss the technological advances of recent decades. Local knowledge is invaluable, but I am sure I do not need to tell Mr Flanagan that, even in his constituency, with its swathe of rural roads and lanes, much like my own, many police officers are not from the area where they work. Indeed, I know that the PSNI even tries to base officers away from their home area, for sensible reasons I might add. I ask Mr Flanagan this: in an emergency, how are two officers, both from outside the area, who have the latest but now obsolete mapping kit in their vehicle meant to arrive at an address under the new system without having to waste crucial time? Of course, he also forgets that, in many areas of Northern Ireland, the PSNI is reluctant to casually walk up to a stranger's door and ask for an address. This system, well meaning as it is, is just not feasible. When people ring 999, they want the rescue services to arrive as soon as possible, yet, if what the Bill is offering were introduced in a council area, I suspect that response times would be severely affected.

12.45 pm

**Mr Weir:** I thank the Member for giving way and agree with the point that she makes. Does she agree with me that, particularly if we are talking about police arriving at an incident where there is a threat to life or a situation where an ambulance is needed — we often talk about the “golden period” around a heart attack, a stroke or something of that nature, where there needs to be swift intervention — the longer that is delayed, the greater the chance of the damage being permanent or, indeed, the person being dead. I suspect that, 99 times out of 100, the ambulance or police car arrives there at the time it is supposed to, but, if you get a situation where there is confusion and people are scrambling around, does she share my concerns that it might, in some extreme cases, be a matter of life and death?

**Mrs Overend:** I thank the Member for that intervention and agree with him. In the rush to bolster townlands, Mr Flanagan has simply decided to set that point aside.

Giving primacy to townlands rather than roads is just not workable. I wonder if Mr Flanagan has discussed the matter with Royal Mail to receive its analysis of the proposal. Furthermore, I am interested to hear the cost of introducing such a system for LPS and how it would deal with the varying systems of councils, since none is obliged to introduce the system.

Mr Flanagan stated that, in his consultation, he did not receive much support from councils to introduce such a townland system. In fact, he said during his briefing to the Environment Committee:

*“While nearly all councils indicated that they were fully supportive of the use of townlands, none of them went as far as saying that they would want the system adopted. They said that, at present, they had no desire to make use of such a change.”*

Only three of the previous 26 councils had some sympathy for Mr Flanagan's desire to bring forward the legislation. Of course, having sympathy is very different from actually using it. Why bring in such legislation, then? I have spoken to my colleagues in County Fermanagh, who explained the unregulated system that existed there for a long time. There was much confusion and debate about simplifying addresses there. In fact, many people in Fermanagh were

given new addresses only a couple of years ago, with new house numbers and postcodes. No doubt that caused some problems locally, so I am surprised that Mr Flanagan wants to inflict further upheaval on a far more significant scale.

After talking to people in Fermanagh and mid-Ulster, I believe that there is no desire to remove the current system and return to the simple use of townlands. I share the desire to keep our townlands but not the desire to give them primacy in our postal addresses. I too would like my children to know of the history of the area where we live, but we do not need this legislation to share that information with the next generation; instead, we talk to them about townlands. My children know about Dreenan crossroads and the Mullaghboy hill. They have heard of the Gall bogs and the land at Inneval that my grandfather used to farm. We refer to townlands in our daily conversation. We laugh about the sound of the names and talk about where they originated. That is how we make sure that they continue, not by this legislation, which, the sponsor himself agrees, no one really wants. I oppose the progression of the Bill.

**Mr Girvan:** I will speak against the progression of the Bill. I have some reservations.

The townland that I was born and reared in is called Dunturky. As stated, a lot of the townland names have been anglicised, and that has probably helped with the understanding of the townland name in the locality where I live. Straidnahanna is a reference to the village of Straid. We also have the townland of Calhame, which is an Ulster Scotsism.

I can see that the opportunity would arise for this to be part of a greater cultural war that has already existed, in which Irish has been promoted, and there would be an attempt to put those anglicised names into an Irish context. That has happened, and you see it as you drive around certain parts of Northern Ireland, especially when you go into a certain areas and find that you cannot recognise the street or road you are driving on. You see a road sign, but it has no resemblance to the name of the road that comes up on your satnav, because some well-meaning individual has decided to turn it into a war and use the Irish language as a mechanism for putting that message across. That is by the way.

I use my townland name, and it exists on the deeds of the property that I own within that townland. The names of the townlands are retained within that mechanism. To go down the route of changing numbers along roads within townlands could mean that, as you drive along a road, you could have seven number twos because it just so happens that that road crosses seven townlands. That is where the problem comes in.

On using the townland name first; the postcode system works and works very effectively. Most emergency services have the address, and the house number is located where it should be located. There is a road in my constituency called the Seven Mile Straight. It is called that for obvious reasons, because it is seven miles along part of it. The numbers flow along that road. If you put in that you are looking for —

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

**Mr Girvan:** No, I will not. I have listened to enough nonsense from you. The fact of the matter is that if you



are driving along the Seven Mile Straight and put number 255 into your satnav, you will find number 255; it comes up within a few hundred yards of the property. More emphasis should have been put on ensuring that, within a rural setting, people have house numbers at the ends of lanes or on their properties so that they can be identified by the emergency services, but that is not what is being discussed here.

We need to discuss issues associated with why we believe that councils should take this on board and use valuable public resources to create another layer. I have no problem with trying to retain townland names and ensure that they are passed down, but we should not try to legislate for that. We legislate for far too much in this society. Everything has to be legislated for. There is no common sense in an awful lot of cases, so we have had to legislate. If common sense was allowed to prevail, you would not need to put a mechanism in place to allow local authorities to take that approach.

We have heard how confusion has been caused in areas where people have attempted to renumber. Those looking for credit checks, because of an agenda that was being driven, did not wish to give their postcode or their house number, but were keen to just use their address as the townland in which they lived to ensure that that happened. Every address in Northern Ireland has a postcode. As a consequence, there should be some recognition in all of the databases of those who are involved in credit checks and such like so that they can access that information and make use of it.

There are a large number of townlands in Northern Ireland — we heard how many thousands there are. I happen to live on a road that has a fairly unique name, but in many towns there is a Church Road. As a consequence of having a Church Road, the only identifiable way of working out what town it is in is ensuring that the postcode is used.

My colleague who spoke before me asked a question in relation to conversations with Royal Mail. The fact of the matter is that its very name means the Member on the opposite Benches may be reluctant to speak to it because of the term "Royal". He might answer that in his response to this whole matter, but that is something I think that we have to be very careful about.

The words "can, if they wish" are included as part of it. There is no idea that it will be the first part of somebody's address; it would be the townland, the street name and the number. That has caused all sorts of concerns, and I take on board the emergency services' approach. If somebody gave only a townland and a number and the services were using the current system, they may not make it to an emergency in time before someone loses their life. But, on the basis that they were trying to make a political statement, they can rest happy in the fact that they died within the townland that they gave the name for, simply because they could not be found. That needs to be looked at.

We need to take on board more issues associated with, for instance, ensuring that we have street names properly identified by councils that can be read without having to spend time trying to interpret what the Irish name is, and that the properties on that road are numbered to ensure that they are easy to get at. I know that certain people say that the postman can find their house all the time. That is simply because the same postman is always on that route and he knows virtually who everyone is, so there is no

issue. The problem is that, if there are no numbers on the ends of lanes, there is always a difficulty in trying to find an address. If somebody new comes on, he will run into difficulty in an awful lot of rural areas.

I, for one, know, because I come from a country location, that you probably know everybody with a mile-and-a-half radius of you, so there is not a problem, but there will be people who have to respond who do not have that local knowledge, and they will have a difficulty. We should be making some move to ensure that numbers are visible and easier to find in that type of environment.

The anglicisation of a number of the townland names was mentioned in the debate. I would like some clarification on whether this is another move by certain people to ensure the promotion of Irish townlands, as was stated by Dominic Bradley, who said that he would encourage that. I just wonder whether this is another string in the bow of those who want to engage in the cultural war that continues to be used, and I am using it because those in my community would say that Presbyterians were the people who kept the Gaelic language alive. Coming from a Presbyterian background, I do not say that I should not support the Irish language, but because it has been politicised and used on that basis, I feel that I cannot embrace it due to its politicisation, even within this forum. I believe that the Bill is another mechanism to do the very same.

Every person in this Building probably knows the townland that they live in or were born, unless they live in certain parts of Belfast where there may not be townlands. Most people, though, will never have thought of it being used politically or in any other way. We should be very careful about allowing this to happen.

It is a four-clause Bill that, in many ways, is relatively straightforward, but it makes absolutely no sense to me. Councils have a responsibility to ensure that numbering goes on, but numbering within townlands is not easy to appreciate. It is vital that we do not allow this to progress because it will just add more confusion for the 11 councils that have been set up. More of a war would now be created within them in relation to these matters. We should kill the Bill at this stage and not allow it to progress any further, because it will incur additional costs for councils and other mechanisms. From what I have been told, the GPS does not even recognise townlands as part of the mapping system. We should kill the Bill at this opportunity, and I will be opposing it.

**Mr Principal Deputy Speaker:** The Business Committee has arranged to meet at 1.00 pm. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business that we will return to will be Question Time.

*The debate stood suspended.*

*The sitting was suspended at 1.00 pm.*

On resuming —

2.00 pm

## Assembly Business

**Mr Principal Deputy Speaker:** Before we commence the next item of business, I wish to advise the House that I have notified the Business Committee that I will not be speaking today to the topic for the Adjournment debate on the use of the Stormont Estate.

# Oral Answers to Questions

## Justice

### Maghaberry Inspection Report

1. **Mr Lynch** asked the Minister of Justice to outline how his Department plans to address the findings of the recently published Criminal Justice Inspection Northern Ireland's inspection report on an unannounced inspection of Maghaberry prison 11-22 May 2015. (AQO 9099/11-16)

6. **Mr Allister** asked the Minister of Justice, given his responsibility for the Northern Ireland Prison Service, to outline how Maghaberry prison has been found to be unsafe, unstable and dangerous by Her Majesty's Chief Inspectorate of Prisons in England and Wales. (AQO 9104/11-16)

7. **Mr D McIlveen** asked the Minister of Justice to outline the level of threat that exists currently for both staff and contractors working in Maghaberry prison. (AQO 9105/11-16)

**Mr Ford (The Minister of Justice):** Mr Principal Deputy Speaker, with your permission, I will take questions 1, 6 and 7 together. I apologise because that may make my answer slightly longer than usual.

Maghaberry is a challenging and complex high-security prison and this report demonstrates that. The progress that the prison made in 2012 continued through to 2014 against a backdrop of experienced staff leaving under the voluntary exit scheme and new staff coming in. The prison has faced three key challenges: resourcing, building a consistent regime and delivering outcomes for prisoners.

The report from the visit in May demonstrated that Maghaberry had been greatly affected by staff absence, which had had a serious impact on the regime and outcomes for prisoners. This has been addressed through robust management of attendance, recruitment and redeployment from other prisons. Since August, sickness levels have fallen sharply, which means more officers on the landings and a more progressive regime.

The director general of the Northern Ireland Prison Service (NIPS) has already taken steps to strengthen the leadership team at Maghaberry, including the appointment of Phil Wragg as governor. NIPS has developed a detailed action plan to address each of the strategic recommendations contained in the report. That has been published on the NIPS website so that the service can be held to account against that plan. What is important now is that the right leadership team is in place. In the six months since the inspection, the Prison Service has taken action to improve the immediate performance of Maghaberry to ensure that the prison is delivering better outcomes for prisoners and is playing its part in building a safer Northern Ireland. I am confident that, when the inspectors return in January, they will see significant improvement.

It is important to reinforce that the context in which Maghaberry operates is not the same as that for any prison in neighbouring jurisdictions. Prison officers are under severe threat, which means that an attack is highly likely. NIPS has effective mechanisms in place to disseminate information relating to threats, and staff are

fully supported when security concerns are raised. Any threats to others, including contractors, are a matter for the PSNI, and there are arrangements in place to share information in that respect. In that context, I am very encouraged that over 1,700 people applied in the recent Prison Service recruitment campaign. Those individuals have an opportunity to play their part in building a safer community.

**Mr Lynch:** Gabhaim buíochas leis an Aire as an fhreagra chuimsitheach sin. I thank the Minister for his comprehensive answer. Does he agree that a combination of a failure of leadership in the prison and a refusal and resistance to prison reform has led to what can only be described as a “damning report” by the Criminal Justice Inspection (CJINI)? Go raibh maith agat.

**Mr Ford:** When I spoke about the report last week, I highlighted that I believe that we have good leadership in place, at prison headquarters and within Maghaberry, and very good cooperation between the governor and the headquarters team. So, we have now got leadership. There is no doubt that, as we have proceeded through the reform programme, some people have had more difficulty adjusting to it than others. We are seeing a team working together at Maghaberry under the leadership of the governor in conjunction with the work being done by NIPS headquarters and the Department.

**Mr Allister:** The Minister has not mentioned it, but a significant part of the report dealt with what could be classed as the disproportionate focus on the separated prisoners and the adverse effect that was having on the rest of the prison. What has been done to address that issue?

**Mr Ford:** Mr Allister raises an entirely reasonable point. The decision to introduce separation was taken by a former Secretary of State some years ago. Decisions on who is admitted to separated conditions are for the Secretary of State and not the devolved Minister. The Department of Justice and the Prison Service has to run the prison on the basis that there are two separated houses.

As part of the reform programme, it is proposed to reconfigure Maghaberry into three mini prisons, which would separate, if that is not an unfortunate use of the term, those who are category A prisoners, whether they are normal category A prisoners or those from the two groups of separated prisoners. That would ensure that it is easier to deal with their needs separate from those of the main bulk of the prison population. If capital funding is forthcoming, I will be very keen to see that happen as soon as possible.

**Mr D McIlveen:** I thank the Minister for his answers so far. He will be aware that, in March of this year, five prisoners were arrested over allegations of making threats towards police officers. There have also been numerous complaints from contractors going into the prison that they have been the subject of threats, particularly from Bush House. Does the Minister wish to comment on where we are today with the state of threats issued against officers, police officers and contractors?

**Mr Ford:** The point is made very clearly by Mr McIlveen. It is a point that I have made before. I said in my key answer that the threat against individual officers and police officers remains severe. There is no doubt that it creates very difficult working conditions. It is unfortunate that, in the particular context of the separated republican

prisoners, the agreement that was made in August 2010, which was predicated on changes in the regime in Roe House, balanced against an end of threats to prison officers, has not been matched by an ending of threats, whether delivered, at times, inside Roe House or by supporters of the dissident prisoners through websites and various other social media. If we are to make progress, it is important that those threats are removed and that prison officers are able to go to work without facing threats, either internally or when they leave afterwards.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Does the Minister agree that the August 2010 report by the prison assessors' team led by Peter Bunting and Anne Owers states that everyone — staff and prisoners — should be treated with dignity and respect in a conflict-free environment?

**Mr Ford:** I am happy to agree with Mr Boylan, but I am not sure that it would necessarily be suggested that, in a team of four equals, Peter Bunting was the leader — although, undoubtedly, he would be one of the co-leaders. Mr Boylan is absolutely right: the 2010 agreement provided the opportunities to move forward, but it appears that dissident supporters outside and dissidents inside have not played their part.

**Mr Ramsey:** In light of the extensive reporting of the investigation, there is deep worry and concern amongst the families of staff and prisoners. Can the Minister give us an assurance that he is doing everything in his power to ensure the safety of the staff and prisoners in Maghaberry?

**Mr Ford:** Mr Ramsey has indirectly highlighted one of the unfortunate consequences. I have heard it reported in the media that the report said that Maghaberry was the most dangerous prison in Europe. It said no such thing. Comments from the chief inspector of prisons from England at his press conference went beyond the considered opinion of that report. They certainly were not the comments of the chief inspector of criminal justice. The Member is absolutely right that it is important that we ensure the safety of staff and prisoners. It is a fact that we are by no means the worst regime in these islands in providing safety in the Northern Ireland Prison Service, but there has to be ongoing, serious work and engagement by prison staff at the highest level to ensure that that is maintained. That is their daily task.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. In the Minister's response to Cathal Boylan, he talked about the approach of dissidents inside. Given what the director general said on Friday about the ineffectual relationship — she accepted that there was a resistance to change amongst prison staff in Maghaberry — does “dissidents” take on a whole new meaning in that context?

**Mr Ford:** I am not sure that I have ever used the term “dissidents” to refer to any member of prison staff, but I did say earlier that there are clearly members of prison staff who find the change to the new arrangements more difficult than others. Some who had served for long periods in difficult times took advantage of the early retirement scheme. Others remain, many of whom are playing very positive roles in the current operation of the Prison Service, but some are having difficulty adjusting to that.

**Mr Beggs:** The Minister referred to his action plan and the need to improve the lot of prisoners. Does he accept that it is also vital that we improve conditions for prison officers and that we improve their morale? Has he approached the Secretary of State to see whether the previous impositions need to be changed in order to manage that prison in an effective manner?

**Mr Ford:** I certainly agree with Mr Beggs that the issue of staff morale is important and significant. I have not specifically discussed with the Secretary of State any change to the separated regime. That is her responsibility. She has not made any proposals to me to change it either. The reality is that we are in a situation where separation was granted by a previous Secretary of State, and that is what we have to work with.

**Mr Dickson:** Thank you, Minister. It has to be acknowledged that you have been here on a number of occasions, robustly dealing with these matters, and you are to be congratulated for that. Minister, do you agree that, if you were to compare the date of the report with today and visit the prison today, you would find a transformed regime, people working together, reduced absenteeism and more prisoners engaged in meaningful work?

**Mr Ford:** I pointed out last week — I cannot remember whether it was in response to Mr Dickson's question on the statement — that I hoped that more members of the Justice Committee would get the opportunity to visit. I believe from my most recent visit, which was three weeks ago, that there have been very significant changes, including much reduced sickness rates and, therefore, better numbers of staff on the landings. There is positive work being done. For example, on that occasion, I saw people engaged in what was essentially public service work in doing Braille booklets. They were working through their lunch break with a prison officer who was working through his lunch break because they wanted to get a job done for the benefit of somebody outside. That seems to me symptomatic of the spirit of many of the people in there. It is the same when you visit the new cafe. We have heard a lot about the success of the Cabin Cafe in Hydebank Wood; there is now a very similar arrangement for the Riverbank Cafe in Maghaberry. All of that is symptomatic of the governor and his management team working with staff to ensure better conditions for staff and prisoners.

**Mr Principal Deputy Speaker:** Before I move to the next question, I must inform the House that question 10 has been withdrawn.

## Access NI: Processing Time

2. **Mr Lyons** asked the Minister of Justice to outline the average time taken to process an Access NI check in each of the last three years. (AQO 9100/11-16)

**Mr Ford:** The average time to process an enhanced Access NI check was 19 days in 2013-14, 16 days in 2014-15 and eight days for the first half of 2015-16. With the introduction in April of online applications, there have been significant improvements in Access NI turnaround times. In addition, the PSNI has recently reviewed and improved the processes for dealing with the enhanced checks that are referred to them. This has resulted in a 70% reduction in the backlog of Access NI checks with the police over the past three months.

**Mr Lyons:** I thank the Minister not only for the answer but the very good news that it contains. He will be aware that an awful lot of community and voluntary organisations and faith-based groups depend on Access NI checks. In the past, far too many of them have had to wait far too long for those to come through. It is very welcome that the online system seems to have helped. The reduction is obviously very welcome. Can the Minister assure the House that he will keep an eye on the situation to ensure that the reduction continues and waiting times stay low?

**Mr Ford:** It is a pleasure to welcome Mr Lyons to a Justice Question Time. His predecessor Mr Wilson tended to be fairly critical of Access NI, so I have logged the praise for Access NI today. I will give him one specific further statistic: the number of cases that have been with the police for over 60 days for check was 789 in June and 128 last week. Clearly, there will always be cases that need to be checked in some detail by the police, but that shows a very significant turnaround by the police in their role, Access NI staff in their role and the enhanced IT system. I will certainly keep an eye on it as he has asked.

**Ms Hanna:** I am sure that many Members, like me, will not recognise those waiting times and may have been contacted by constituents who are waiting considerably longer. Having come from the voluntary sector, I know that that is not the story that I have heard from people. Can the Minister give an assurance that any further steps to take up processing will be taken, particularly in the case of an urgent job application? I am aware of people who have waited weeks or even months and been unable to take up employment during that time.

## 2.15 pm

**Mr Ford:** Ms Hanna asks a very reasonable question, which is, of course, simple to answer: people who get good service from Access NI do not contact their MLA to complain about it. The tens of thousands of checks that go through reasonably speedily go through, and people are happy. Some of them say, "Thank you" to Access NI, but most people accept that that is what they should expect from a public service. In September, for example, 95% of enhanced certificates were processed within 14 days of receipt of the application, while over 98% were processed within 28 days. We are talking about the small minority of cases, which, overwhelmingly, are those that require further checks by the police — the PSNI or another police service. Those are the applications that have, in some cases, taken a very considerable time, but, in the past few months, we have seen a significant improvement there as well.

**Mr McCarthy:** When will portable checks be available?

**Mr Ford:** Mr McCarthy highlights an ongoing challenge. A lot of work has been done, and I hope that we will have the full portability of checks at some point during the next calendar year. It is something that is very disappointing, because that was under way when I became Minister, just over five years ago. Changes were then made by the Home Office for England and Wales that had further knock-on effects for us, but we are looking to see portable checks introduced as quickly as possible. The idea of a portable check, which could be checked online any number of times that people needed, would be significantly better than the current system, which is effectively still a paper-based system, even though it is carried out online. That would show a significant improvement, particularly for those



engaged in different areas of voluntary work or a number of short-term periods of employment who need to see that opportunity coming through. Frankly, it cannot happen too soon, in view of the complaints that people still have.

### Youth Engagement Clinics

3. **Ms Lo** asked the Minister of Justice to outline the impact that youth engagement clinics are having on young people's experience of the justice system. (AQO 9101/11-16)

**Mr Ford:** Following the initial pilot across three police districts in Belfast, youth engagement clinics were rolled out across all districts in Northern Ireland over 2014-15, becoming fully operational in April of this year. I took that decision following a positive evaluation of the pilot, which demonstrated a number of benefits for children and young people. It is clear that youth cases that are dealt with at clinics are resolved far more quickly than those that progress to court, meaning that the negative consequences of delay in our system for victims and offenders can be reduced.

Youth engagement clinics can help young people make better-informed decisions about their options at an early stage by providing advice and support in a language and setting that is appropriate to their age and level of understanding. That includes explaining the consequences of accepting a diversionary or court-ordered disposal and how that might affect them in the future.

Participation in the clinics has allowed young people to take responsibility for and understand the consequences of their actions and to get appropriate support to address the underlying causes of their offending behaviour. That approach of supporting children at the earliest stage to address problems that could lead to further offending or risk-taking behaviour is a key element of the scoping study that I commissioned to improve outcomes for children in or on the fringes of the youth justice system. There is clear evidence that the more we can do to prevent young people entering the system in the first place or to divert them from more formal disposals, the better their long-term outcomes.

**Ms Lo:** I thank the Minister for a comprehensive answer. I am pleased to hear that the clinics are having such a positive impact on the outcomes for our young people. In view of the evaluation, has he other initiatives in mind to build on that success?

**Mr Ford:** I thank Ms Lo for her question. The key issue is the scoping study now looking into the whole operation of youth justice. We need to ensure that we build on the successes of the youth engagement model and continue to see how we can do it to streamline and simplify the system. That is what youth engagement clinics are about. That is what we expect to see followed up in the final report that is being prepared on that work by Criminal Justice Inspection. As we look into the scoping study on how we can make further improvements in the future, I think that there will be continued improvement in the speed with which cases are disposed of and in appropriate measures being adopted for individual offenders. We hope to see significant improvements for society on the back of that.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I commend the Minister on a very in-depth and

comprehensive answer. Can he elaborate on what lessons have been learnt from the clinics that could make access to justice more efficient and more effective?

**Mr Ford:** I thank Ms McCorley for her support. In a sense, it is slightly early, given that the pilot scheme has been running only in part of Belfast for any length of time and the wider roll-out was from April 2015. We need to be slightly careful. We do not have a full statistical basis, but there seems to be evidence from practitioners and from some young people who are participants that the arrangements have helped to create the joined-up response that has helped them to see their way to a better future and to manage their behaviour so that it does not lead to future offending. The benefits that that provides to young people and to those who might otherwise have become victims is to be welcomed. There is no doubt that, as we look generally at the way in which the clinics have operated, we see that they have built on the past successes of the Youth Justice Agency. We are seeing improvements, and we will see the proper evaluation when we get the CJINI report in the near future. I will look to it for full evidence.

### Access to Justice Review

4. **Mr Ó hOisín** asked the Minister of Justice to outline his plans following the publication of the review of access to justice. (AQO 9102/11-16)

5. **Mr Dallat** asked the Minister of Justice, in relation to alternative funding arrangements in the access to justice review part II, to outline his preferred alternative to legal aid. (AQO 9103/11-16)

14. **Mrs McKevitt** asked the Minister of Justice, in light of the recent publication of the access to justice review part II, what further efficiency measures in criminal courts he plans to discuss with the Lord Chief Justice and the NI Courts Service. (AQO 9112/11-16)

**Mr Ford:** With your permission, Mr Principal Deputy Speaker, I will answer questions 4, 5 and 14 together.

Last week, I announced to the House that I welcomed the access to justice review part II report and that the publication of the report would begin a consultation period that would close on 9 February next year. The report has some 150 wide-ranging recommendations, and I hope that those with an interest in improving the justice system and the experience of those who come into contact with it will take the opportunity to comment on the report. I hope to return to the Assembly before the end of the current mandate to outline my proposed response to the report by setting out thematically the priorities that will drive the future reform agenda.

As I have highlighted previously, significant progress has already been made in delivering reforms of many aspects of the justice system. This reform programme will continue. Where there are issues of commonality between current reforms and recommendations in the report, I will reflect on the analysis in the report as I take forward the reforms.

On alternative funding arrangements for money damages cases, the report recommends a new approach that would enable the majority of cases currently supported by legal aid to proceed without that support. It is based on a conditional fee agreement with appropriate safeguards to prevent increased costs. This appears to provide a realistic alternative to the existing approach, and, in order

to ensure that we draw out any concerns, I plan to consult specifically on this issue at the same time as consulting more generally on the report. That will ensure that we have a firm basis to proceed with a reform that will save money and improve access to justice.

The report makes a number of recommendations on improving the efficiency of criminal proceedings. I plan to take the views of the Lord Chief Justice on those matters. I meet him regularly, and I expect the report will be a regular focus of future meetings.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Does the Minister agree that, without a properly funded legal aid system, effective access to justice for all will be undermined?

**Mr Ford:** I am happy to agree with Mr Ó hOisín on that one. The report made the point — I also made it in accepting the report — that we are not looking to reduce legal aid to the bare minimum; we are looking to provide it in a measure that is affordable but meets the needs of this society. That is why, for example, the point that I highlighted about money damages is about finding alternative ways of funding. It is why matters like mediation as opposed to an adversarial court hearing are being looked at as ways of ensuring that justice is provided, but that is not the same thing as continuing to maintain the current legal aid arrangements in all cases.

**Mr Dallat:** I listened carefully to the Minister. On this day of glad tidings and great joy for the future of the Assembly, will he now consider looking seriously at legal aid with regard to family law and those matters where people have been profoundly affected by the recent scarcity of resources?

**Mr Ford:** I will keep my counsel until I shortly attend an Executive meeting as to whether I agree with Mr Dallat that it is a day of glad tidings or whatever. Indeed, some of his party colleagues may have a different view from the way in which he has just expressed it.

On the specific issue of family cases, one of the major challenges that have confronted the system for some time and that I get frequent correspondence about is the availability of legal aid for one partner in a family dispute but not the other.

The allegation that is frequently made — indeed, there are several Members in the House at the moment who have made the allegation — is that legal aid is used as a weapon by the legally aided ex-partner against the partner who is on a modest income that disbars them from legal aid.

Those are the kinds of issues that need to be looked at, not cutting out legal aid from the basic key hearings that may deal with a divorce or a separation or issues such as the custody of children. It is about stopping the idea that people who would not take a case to court if they were funding it themselves would have immediate recourse to legal aid to mount a continuing series of challenges. I believe that that is an entirely appropriate way to change. We will see what the responses to the consultation document are; no doubt the joyful Mr Dallat and his colleagues will be among those who will respond.

**Mrs McKevitt:** Does the Minister have a preferred alternative to legal aid?

**Mr Ford:** It is not so much a preferred alternative to legal aid but a way in which we find that access to justice is provided by a variety of methods. Existing arrangements for legal aid will have to continue in some areas, but mediation, various forms of alternative dispute resolution, and finding different ways in which, frankly, those who are fighting over money or property of some kind fund it themselves out of the proceeds of that, are all issues that are entirely relevant so that we can concentrate the payment of traditional legal aid where it is most needed and where it has most effect. As I said in response to Mr Dallat, and to spell out what I said in my previous comment on the report, there is no question of removing those private family law cases entirely from scope as has been done in England and Wales. We will ensure that we maintain the basic level of legal aid for a decent, civilised society.

**Ms McGahan:** Go raibh maith agat. Does the Minister agree that one of the main cornerstones of access to justice is legal aid, and that any curtailment of access to legal aid is a blockage to access to justice?

**Mr Ford:** No, I cannot agree with Ms McGahan when she puts it as baldly as that. I have made it clear that there are some areas in which traditional legal aid will continue to be provided. However, at a time of decreasing budgets and very significant financial pressure on the Justice Department, as indeed there is on the Executive as a whole, it is simply not possible to maintain traditional legal aid for all those areas that have had it. I have just highlighted some of the issues around money damages and ongoing family disputes, and we have seen examples from the legal profession, where good work has been done by various forms of alternative dispute resolution. That work has shown that it is possible to manage things in a way that is more constructive for those who are involved than an adversarial system where two lawyers fight it out and the participants see themselves more as spectators. If they are participants, they are much more likely to feel that they had a real part to play. They are much more likely to accept the decision of a mediator than is sometimes the case when a decision is handed down by a judge, to which, they have felt, they have not really contributed.

**Mrs Overend:** The Minister intends to speed up access to justice. How does he see that working with the closure of so many local courts, including the one in Magherafelt in my constituency?

**Mr Ford:** I will be making a statement after the Justice Committee has had the opportunity to consider the proposals for court closures. I am not discussing the court in Magherafelt or any other court at this stage. The issue is that access to justice is not access to an inadequate building in every district town. Among other parts of access to justice, it is access to a proper, decent and modern courtroom, which is a place where there is, for example, the ability to provide segregation for vulnerable witnesses and victims and where arrangements are such that there is proper IT, decent disability access and a whole range of matters that, frankly, some of our older courthouses do not currently meet.

**Mr Principal Deputy Speaker:** That concludes the time for listed questions. We will now move to topical questions.

## Maghaberry Prison: Healthcare Provision

T1. **Ms Maeve McLaughlin** asked the Minister of Justice, given the focus on Maghaberry over the last number

of weeks, whether he agreed with the Criminal Justice Inspection report when it highlighted the serious flaws in healthcare provision in that prison. (AQT 3141/11-16)

## 2.30 pm

**Mr Ford:** Mr Principal Deputy Speaker, I did wonder how many topical questions we would have on Maghaberry, given that I made a statement on it last week and that I have just answered three questions on it from the main list.

Ms McLaughlin highlights quite adequately the references to healthcare in the report of the inspection of Maghaberry, and that issue is being addressed by the South Eastern Trust. Therefore, I should leave that to the Minister of Health, Social Services and Public Safety to discuss in detail other than to say that the Prison Service is certainly seeking to work in partnership with the trust and that the prison review oversight group, which I chair, gets regular reports as we look at the recommendations of the prison review team. Those reports include where there is engagement on health matters, which are adjudicated on by RQIA, just the same as CJINI deals with the matters that are purely for the justice system.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Minister for that, but I do feel that the flaws in healthcare have not, at this point, even been adequately highlighted. Specifically, given that the Minister has a duty of care to those in Maghaberry, does he feel that there now needs to be a review of the relationship between the Prison Service and the South Eastern Trust?

**Mr Ford:** Ms McLaughlin has highlighted a significant point. I do not agree that we need a review of the arrangements. However, I agree that we need to see the recommendations made by Dame Anne Owers and her team, which are being worked through by the South Eastern Trust and checked over by RQIA, being carried through in full and that the ongoing partnership working needs to be reinforced to ensure that the lines of communication between the prison staff side and the healthcare staff side are fully dealt with. Those are the kinds of points that come back, but, frankly, I do not think that it is a matter of another review. I think that it is a matter of ensuring that the recommendations that we already have are put into place.

## Maghaberry: Senior Governor

T2. **Mr McCartney** asked the Minister of Justice, following his mention of the newly appointed senior governor at Maghaberry, to give a categorical assurance that the governor will be allowed to run the prison and will enjoy close cooperation with the director general to do that; and, given that the Minister referred to Maghaberry being topical, does he accept that that is because we have an opportunity today to ask questions and, if we ask those questions today, Maghaberry will not be a feature of every future session of topical questions. (AQT 3142/11-16)

**Mr Ford:** It looks as if I have lost the topicality argument, Principal Deputy Speaker, but I take the significant and serious substantive point that Mr McCartney raises. It is an issue that he has raised previously. It is an ongoing challenge to ensure that the prison is run by the governor and his senior team, but that involves cooperation with other staff and with the associations that represent them. It involves not only discipline staff but those who are involved

as instructors, the ancillary staff, the education staff and the healthcare staff. There is a huge mix of responsibilities.

I am always slightly reticent when I am asked to give guarantees in the Chamber for matters that are not my direct, day-to-day responsibility. However, since the arrival of Phil Wragg, the current governor, I have seen extremely good work being done, close cooperation with Prison Service headquarters and with the Department, and an understanding of the challenges that Maghaberry faces. Remember, Phil Wragg's previous experience was as governor of Belmarsh. Belmarsh may not be as complex as Maghaberry, but it does deal with some of the most difficult prisoners in custody in England and Wales. He clearly has a range of experience there as well as his experience in other mainstream, if you want to put it that way, prisons, which is being put to good use. I have no doubt that the very positive relationship between him and the director general, the other members of the senior team, his senior team in Maghaberry and even, dare I say, the Minister and the senior team in the Department is having good effects already in Maghaberry. I have no doubt that that will continue.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer to that question and his approach to it. At the Committee meeting last week, and in the Minister's earlier answers, it was said that Anne Owers in 2011 said that one of the ways around the complexity of Maghaberry was to have three mini prisons. I have a concern that that is being postponed until a new capital build. That is why I have made the point that, if the number one governor in Maghaberry can find the means to bring about three mini-prisons, it should not be contingent on a capital build. Will the Minister agree with that approach?

**Mr Ford:** We cannot do all that we would wish to do around the concept of three mini prisons without a fairly significant capital investment. For example, different arrangements for visitors cannot be accommodated in the concept of three mini prisons within the current capital configuration. However, Mr McCartney highlights a reasonable point about how we actually manage the arrangements for prisoners in the two separated houses, the other category A prisoners, and the great run of the prison population — the 90%-plus — who are not in those circumstances. It is about seeking to manage staffing as best as possible to ensure that the staffing pressures that exist in Roe and Bush do not impact on staffing elsewhere. That is why, for example, the reduction in the numbers on sick leave on a daily basis has been so important in ensuring that we can make those changes happen and disrupt the regime for that 90% as little as possible.

As for the other issues, as I say, I do not think that it will be possible to do all that we hope to do without a significant injection of capital funding. This is one of those points on which, if the Finance Minister were in the House, I would remind him that there is sometimes more capital funding available than resource funding, and that capital investment in our prisons could significantly save on ongoing resource expenditure. So, if anybody here would like to report that to the Finance Minister, I would be very grateful.

## Justice: Budget Position

T3. **Mr Lyons** asked the Minister of Justice for an update on his Department's budgetary position. (AQT 3143/11-16)

**Mr Ford:** That is certainly not as easy as the Access NI question.

Just before I came into the Chamber, I saw a paper, which will deal with an exceptional November monitoring round and is due to go to the Executive later this afternoon. On the basis that it is for the Executive, in confidence, I cannot give Members as full an update as I would wish. However, I can say that it is clear that there are very significant ongoing pressures in the Department of Justice. There has been some slight benefit this year, because police overtime has been slightly less than might have been the case in other circumstances — a further benefit of a relatively peaceful summer, which we should all be grateful for on more than just financial grounds. As Members will be aware, there are still very significant ongoing pressures around legal aid. We will see exactly how that resolves itself, particularly in the context of the current withdrawal from work by some solicitors and barristers and the potential for further pressures there if, following the judicial review, they are back to work. If that has given a flavour, without giving away Executive secrets, I hope it has been helpful.

**Mr Lyons:** I thank the Minister for giving me some flavour of the current budgetary position. An awful lot of concern was expressed last year about the £14 million underspend by the PSNI. Can he provide the House with any assurances that such money will not be returned again this year?

**Mr Ford:** I can certainly give the House the assurance that I will do my best to see that any money not required by any part of the justice system is recycled to other parts of the justice system that are under pressure, whether for legal aid, prisons or courts, all of which have pressures at present.

In many cases, when funding is allocated mid-year, it is very difficult for spending areas to make full use of it if they are expecting a cut the following year. Unfortunately, that is what happened to the funding allocated in-year to the police last year. If they had certainty of funding for a four- or five-year period, they would be recruiting more officers than they are currently able to recruit. Police numbers stand below the recommendation in the review carried out two years ago. So, there are clearly areas where the police, if they had certainty of funding, would be in a better position to spend their funding for a period of years than they are when given small sums in-year. The challenge facing the Executive, as a whole, is to get a coherent budgeting pattern through the next CSR period so that agencies know where they are.

I suspect that the Police Service is not the only service that is in a very similar position. It does not have the capacity to suddenly squirrel away money into one or two short-term things at the end of the financial year, because so much of its budget is tied up with staffing matters. That is a challenge that we now face to try to get matters resolved, which, I trust, we will be in a position to do after the Chancellor's autumn statement.

## Muslim Community: Support

T4. **Ms Ruane** asked the Minister of Justice to join her in condemning the racist attack on members of the Muslim community in Ballymena and to update the House on the measures that are in place to support our Muslim community. (AQT 3144/11-16)

**Mr Ford:** Like, I suspect, all Members of the House, I immediately join Ms Ruane in condemnation of the attack in Ballykeel last night and, indeed, a number of other attacks that have happened in recent weeks, mostly in Belfast. Whatever the crude motivation may be, there can be no excuse for what went on last night. We need to not intrude on operational issues for the Chief Constable or the Director of Public Prosecutions. We have the ability for enhanced sentences relating to hate crime. There is a lot of work being done around the role of hate crime advocates. The hate incidents practical action scheme deals with providing protective benefits. The community safety strategy has elements about reducing the harm from hate crime, whether it be racial, religious or whatever. There are a number of streams of work being carried through, but it is clearly an issue where, most of all, we need a united community response against such crimes.

**Ms Ruane:** Tá mé buíoch as an fhreagra sin. I thank the Minister for that answer. I absolutely agree with him on the operational independence. It is something that we will raise at the Policing Board. In relation to the last comment that you made about a united front, it is important that all Departments work together. Will the Minister confirm that he is willing to work with all the Departments to make sure that people from different countries who have travelled here and live here and families who have lived here for 20 years and still have a petrol bomb come through their house do not feel afraid?

**Mr Ford:** This is one of those occasions when you would just like to say yes, but I should go a little further. We have both the issue, as was highlighted, of those who have been here for a number of years but are still subjected to a variety of hate crimes and the issue of the Syrian refugees whom we expect to be in Northern Ireland before Christmas. I have no doubt that there is a relatively limited role for my Department, but, where there is a role for the justice agencies, they will play their part.

## Refugees: Welcome and Support

T5. **Mr Lyttle** asked the Minister of Justice to join the House in condemning the petrol bomb attack on the Ibrahim family home in Ballymena, the concerning social media posts that have appeared today, allegedly from the UPRG, that threaten the Housing Executive in its allocation of housing to refugees and the assaults that have taken place in East Belfast; and to send the clear message that Northern Ireland citizens of black and minority ethnic background and refugees who come to these shores will be warmly welcomed and receive the statutory support to which they are entitled. (AQT 3145/11-16)

**Mr Ford:** Anything that the Department of Justice can do, as I have just said to Ms Ruane, it will do to play its part in dealing with hate crime, ensuring that we provide support services for those who will come shortly as refugees and ensuring that we play our part in helping create a mood within the public that recognises the position of those who have been citizens here for many years, whatever their skin colour or religious belief may be.

**Mr Lyttle:** I thank the Minister for his response. Does he agree that anyone threatening people from a black and minority ethnic background is merely playing into the hands of the terrorists who seek to divide our community and threaten our freedoms? Does he agree that there is



now a long-overdue need for OFMDFM to bring forward the racial equality strategy and the refugee integration strategy? Will he work at the Executive table to ensure that they are delivered?

**Mr Ford:** Just as I had to be slightly cautious talking about healthcare in prisons and speaking for the Minister of Health, I am not sure that the First Minister or deputy First Minister will appreciate me speaking for them, but the DOJ will play its part in the development of any of those strategies, which are a responsibility across the Executive, even if they are led by another Department. It is absolutely vital that we show a united voice and stand up against those thugs and terrorists, whatever their claimed motivation, who threaten people in this society, wherever they come from and whatever their background. Only with a united view from the Chamber, backed up by a united view at the Executive and strategies in place that ensure that all the relevant agencies work together, will we actually succeed in dealing with those problems.

**Mr Principal Deputy Speaker:** That concludes the period for topical questions to the Minister of Justice.

2.45 pm

## Regional Development

**Mr Principal Deputy Speaker:** This is, I think, the Minister's first Question Time, so we welcome her to that. I inform the House that questions 1 and 12 have been withdrawn.

### Belfast Rapid Transit System

2. **Mr Douglas** asked the Minister for Regional Development for an update on the Belfast rapid transit system. (AQO 9115/11-16)

**Miss M McIlveen (The Minister for Regional Development):** I am fully committed to the delivery of Belfast rapid transit, including not only the current phase, which connects east Belfast, west Belfast and Titanic Quarter via the city centre, but future extensions to the north and south of the city. I regard Belfast rapid transit as a transformational public transport project for the city. It represents a great opportunity for Belfast going forward and is a major decision for my Department in relation to the commitment of funding in support of an Executive priority.

I have a keen personal interest in Belfast rapid transit and recently visited some of the infrastructure that my Department is developing for the system, including the new 520-space park-and-ride facility at Dundonald and the ongoing works on the routes. The works have been well publicised, and details of the impacts on local traffic are available on my Department's Trafficwatch Northern Ireland website. The changes that the works will introduce and the changes that have already been introduced on completed sections of the routes will provide benefits for existing public transport in advance of Belfast rapid transit becoming operational. The procurement of the rapid transit vehicles is progressing well, and I hope to make a major announcement on that in the next few weeks. Phase 1 of the Belfast rapid transit system is scheduled to become operational in September 2018.

**Mr Douglas:** I thank the Minister for her answer, and I wish her all the best with the rest of her questions today. Does she agree with me that, in east Belfast, we should encourage commuters to use the Comber greenway as an additional route to the rapid transport scheme? Could the Minister outline any plans that she has to improve and enhance the Comber greenway?

**Miss M McIlveen:** I thank the Member for his best wishes for today and for his question. I agree with him on the Comber greenway. Some may say that I am slightly biased given that it links our constituencies, but I believe that it is one of the best examples of greenway infrastructure in Northern Ireland. I am keen to explore how it can be improved to encourage greater use for commuting and, indeed, for wider reasons, including health and well-being. My Department is working on a scheme to improve the linkages to Belfast city centre, but I also want to see better access to the greenway provided at the Comber end, particularly linking into Comber town and eventually into Newtownards. That would allow for greater numbers of people to enjoy a safe cycling and walking route. That would be for commuters and leisure users. If Departments and councils work together, we have an opportunity to develop Comber greenway into a world-class facility.

**Ms Hanna:** I thank the Minister for her answers so far. You mentioned that there had been progress on procurement, but are you confident that the revised deadline of 2017 will be met for the vehicles to arrive fully assembled? Is there potential for that new deadline to slip?

**Miss M McIlveen:** I thank the Member for her question. I understand that that is no longer an issue and that they should be in place. The procurement process commenced in September 2014, and tenders were returned on 1 May this year. Those have been assessed, and, as I said, there will be an announcement in the next few weeks. That was part of the project assessment review, and we are confident that it is on track to be delivered on time.

### Cullybackey Park-and-ride Facility

3. **Mr D McIlveen** asked the Minister for Regional Development for an update on an extension to the Cullybackey Park-and-ride facility. (AQO 9116/11-16)

**Miss M McIlveen:** The Member will be pleased to know that Translink has commenced work towards the construction of a park-and-ride facility at Cullybackey railway station. A detailed design review and risk assessment, including a CCTV survey of the interaction of vehicles and pedestrians at the existing crossing, has raised concern that additional traffic introduced by the park-and-ride facility could potentially cause blocking over the automatic crossing.

That assessment, combined with increased crossing incidents, has led Translink to conclude that the level crossing at Cullybackey station should be upgraded before the park-and-ride project is commissioned. The crossing upgrade involves significant railway signalling alteration works. Timescales for the work depend on the certainty of capital funding and availability of signalling expertise currently engaged on a number of significant railway projects, most notably phase 2 of the Coleraine to Londonderry track re-lay project.

Translink has committed to aim for completion of the level crossing upgrade and the park-and-ride facility in 2018-19. It is anticipated that the land purchase will be completed in the current financial year, 2015-16, once site surveys conclude.

**Mr D McIlveen:** I welcome the Minister to the Dispatch Box today and thank her for her answers so far. The Minister, I am sure, will be aware, having spoken to some local representatives, that we have an issue whereby the park-and-ride facility at Ballymena has been put under immense pressure because there is little alternative for people, given the situation with Cullybackey.

Now that we finally have a Minister for Regional Development who knows where North Antrim is, I wonder whether I can encourage her to visit the constituency in the near future so that she can see for herself the pressing urgency of the project.

**Miss M McIlveen:** I thank the Member for his comments. I am happy to visit the constituency yet again. Undoubtedly, the proposed park-and-ride facility at Cullybackey would relieve the pressure on the Ballymena park-and-ride facility, certainly in the short to medium term and particularly for commuters from north of Ballymena.

Ballymena park-and-ride has 294 spaces. It is consistently at full capacity and, on occasion, accommodates vehicles well in excess of the designated number of bays. I am aware of traffic problems, as is Translink, as a result of commuters parking for long periods outside local residences. Hopefully, not in the not-so-near future but certainly within the next couple of years, that situation should be relieved.

**Mr Allister:** I express my dismay at the Minister's answer. It is two years since this was announced, with headlines in the local paper about a park-and-ride facility at Cullybackey. In March of this year, the Department announced that it was going to provide 110 spaces. The Minister now comes to the House and tells us that Translink has not even completed the land purchase and that it must revisit the level crossing and that it is going to be another three years before we have that basic provision.

**Mr Principal Deputy Speaker:** I ask the Member to come to his question.

**Mr Allister:** Why is Cullybackey forgotten —

**Mr Principal Deputy Speaker:** The Member must come to his question.

**Mr Allister:** — and why has its bypass also been forgotten, if we now have a Minister who knows where North Antrim is?

**Miss M McIlveen:** I am not sure whether I should thank the Member for that question, but he certainly has an opinion. He will understand that I am recently in post, a post that was held by another Member — indeed, another party. The matter has been drawn to my attention. I asked for an update and am asking for the matter to be progressed. We are working through the processes.

**Ms Maeve McLaughlin:** I thank the Minister and welcome her to her first Question Time. In a similar vein, can she give an update on the development of the park-and-share or park-and-ride sites at Dungiven and Claudy?

**Miss M McIlveen:** The Department has invested in the provision of a number of park-and-ride and park-and-share

sites in the north-western key transport corridor, including at Drumahoe, Castledawson, Craigadick, Toome, Dunsilly and Ballymartin, which amount to up to 1,400 spaces. In addition, as part of the A6 Dungiven bypass scheme, a park-and-ride facility is proposed to provide 60 spaces. I hope that that answers the Member's question. If I have missed something specific, I will certainly come back to her.

**Mr Principal Deputy Speaker:** I remind Members that this question is specific to the constituency and, in particular, to in and around Cullybackey.

**Mr Dallat:** I will do my best not to meander beyond Cullybackey. I thank the Minister for her continued interest in the Belfast to Derry railway and I congratulate her on taking that epic journey from Belfast to Bellarena recently to see the new passing loop. That was brilliant.

The Cullybackey park-and-ride facility is essential, but will the Minister assure me that no discussions are taking place about the future of the Knockmore line, which is mothballed. I heard a rather nasty rumour at the weekend that they are considering making it into yet another greenway. Can the Minister dispel that rumour?

**Mr Principal Deputy Speaker:** Before the Minister responds, I remind the Member that this is a question specific to the Cullybackey park-and-ride facility.

**Mr Dallat:** It is just up our road. *[Laughter.]*

**Mr Principal Deputy Speaker:** The Minister may answer.

**Miss M McIlveen:** I thank the Member for his question. I had a very enjoyable journey to Bellarena to see the site there, and I am very encouraged by the works that are progressing. That will have a significant impact for commuters making the journey from Londonderry into Belfast and further. I am not aware of the detail of Knockmore. As the Member said, it is a rumour that he heard over the weekend. I am happy to look into that and come back to him.

## Bicycle Strategy: EuroVelo

4. **Mr McKay** asked the Minister for Regional Development whether she has any plans to use the EuroVelo to promote her Department's bicycle strategy. (AQO 9117/11-16)

**Miss M McIlveen:** 'Northern Ireland Changing Gear: A Bicycle Strategy for Northern Ireland' is based around a three-pillar approach. Those are building a comprehensive network for the bicycle; supporting people who choose to travel by bicycle; and promoting the bicycle as a mode of transport for everyday journeys. That balanced approach underlines the importance of high-quality bicycle infrastructure, good support measures for those who want to use a bicycle and effective programmes for behavioural change. I am particularly keen to explore opportunities to expand the cycling infrastructure, in building better infrastructure for the bicycle so that people can have the freedom and confidence to travel by bicycle for everyday journeys. Current work has focused on the urban bicycle infrastructure and the potential to develop greenways. Both are key elements of the bicycle strategy and fit in with the main purpose of the EuroVelo, which is to provide routes that people can use for daily journeys and for recreation. My Department has had discussions with Sustrans about the route for EuroVelo 1 in Northern Ireland. Those discussions included consideration of how the EuroVelo

might form part of the comprehensive network referred to in the bicycle strategy.

**Mr McKay:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I congratulate the Minister on her appointment. What plans does she have to develop the EuroVelo to include the north coast, perhaps linking to two potential greenways: from Ballymena to Cushendall and the Armoyn greenway from Ballymoney to Ballycastle?

**Miss M McIlveen:** I thank the Member for his question. This is ongoing and is part of a route that is being developed, as is the funding associated with it. Funding is critical to such projects, as is land acquisition. I am not clear at this stage whether anything further would be required in those areas, but I am happy for officials to look at it as we move forward through the project. This is an exciting option, and it will certainly develop cycling in Northern Ireland.

**Mr Lyons:** This is also my first Regional Development Question Time. I welcome the Minister and wish her well in her post.

I am sure that many Members will welcome the new Queen's Belfast Bikes station. Will the Minister give us a general assessment of the scheme to date, tell us whether other stations will be opened and whether the scheme can be extended to other towns in Northern Ireland?

### 3.00 pm

**Miss M McIlveen:** I thank the Member for his question. Belfast Bikes has probably been one of the most successful bike share schemes introduced in the United Kingdom. The number of hires, since its launch in April this year, is now well above 100,000. It is a Belfast City Council scheme, although my Department provided capital funding of over £1 million for implementation through the active travel demonstration projects competition. Last week, the council announced an expansion of the scheme, with two new docking stations at Queen's University, and I know that the council is giving consideration to additional sites.

Obviously, the rationale behind the Member's question was whether the scheme could be extended to his constituency. If other councils wish to consider operating a bike share scheme, I suggest that they develop a business case, as Belfast City Council did. Hopefully, we will see the scheme being launched in various towns and cities throughout Northern Ireland.

**Mr Lyttle:** I welcome the Minister to her post and commend her Department for the support it has given to the Sustrans report, 'Belfast Bike Life 2015', which found nearly £12 million in health benefits to Belfast and 67p per mile savings to citizens of Belfast through cycling. The report also says that 78% of people in Belfast want more investment in cycling. Does the Minister intend to increase the budget for cycling to deliver the improved bicycling infrastructure that we need and deserve?

**Miss M McIlveen:** I thank the Member for his question. The Member was present when I launched the first 'Belfast Bike Life' report on 21 October. This report was compiled by Sustrans and is based on Copenhagen's 'Bicycle Account' series. It is the first ever bicycle report for Belfast and provides information on cycling conditions in the city and the views of residents on various aspects of cycling. As the Member said, the report indicates the

number of journeys — 19,000 — made by bicycle every day in Belfast, and this information is critical in informing decision-making in my Department and for policy development. Certainly, the investment in cycling has increased over recent years. The Member, and everyone in the Chamber, will be aware of the challenges with our financial situation, but, where there are opportunities, as I indicated in my response to Mr McKay on EuroVelo and the development of greenways, we will take them into consideration.

### A8: Completion Date

5. **Mr Beggs** asked the Minister for Regional Development for an update on the upgrade of the A8, including the expected contract completion date. (AQO 9118/11-16)

**Miss M McIlveen:** The A8 scheme represents a £133 million investment by the Executive. It forms part of the eastern seaboard key transport corridor, which is an important link between Northern Ireland, the Irish Republic and Scotland, via the port of Larne. I am pleased to advise that the new A8 dual carriageway opened to traffic, as programmed, on 29 May 2015. However, since then, as the Member will be aware, localised traffic management along the scheme has been required to facilitate ancillary works on side roads, utility works and the completion of the landscaping works during the planting season. Construction of this 8.7-mile-long dual carriageway scheme commenced in August 2012 and is on target for contract completion at the end of December 2015. Throughout the construction works, Transport NI and the contractor have ensured that any inconvenience to the public has been minimised.

This is an excellent scheme that will improve journey times for this stretch of the A8 by removing the issues associated with the queuing of traffic, thus reducing driver frustration and improving the safety performance of the route for all road users. In doing so, this much-needed upgrade will grow the local economy, contribute to wider economic development across Northern Ireland and help with the development of the port of Larne.

**Mr Beggs:** Over the past couple of months, the road has regularly been coned off for re-planing and resurfacing to meet Roads Service standards. When will that come to an end, and when will the maintenance of the road, the lights and, indeed, winter gritting be added to the burden already resting on her Department?

Is she satisfied that her Department has an adequate budget to look after the repair of street lighting, maintenance of the road —

**Mr Principal Deputy Speaker:** Will the Member come to his question?

**Mr Beggs:** — and winter gritting services?

**Miss M McIlveen:** I thank the Member for his numerous questions, a number of which will be covered in detail as we move through Question Time. As he will be aware, a normal winter gritting service will be in place and that that road, given its nature, will be included if it has not already been. We hope that everything will be completed by the end of December. Issues were identified during the construction process about the use of unsuitable material. That has been rectified.

The Member also asked about grass cutting in the area. That commenced yesterday along the central section of the A8 central reservation. Lane closures associated with that will be required so that the remaining outer strips of the central reservation can be cut. That is programmed to be completed by November 2015.

**Mr Hilditch:** I thank the Minister for her answers so far. The infrastructure in East Antrim, including the A8, is a great example of how devolution can work. Will the Minister indicate the economic benefits to the area, including journey times?

**Miss M McIlveen:** The traffic model suggests that, on average, journey times along the section of the A8 between Coleman's Corner roundabout and Ballyrickard Road will reduce by approximately 25% as a result of the scheme. That equates to a journey time saving of between two minutes 24 seconds and four minutes 56 seconds, which seems terribly precise, depending on the direction of travel and the time of journey.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the Minister to her first Question Time.

There are many in my constituency who have a green-eyed envy of the A8. Can the Minister give us the final costings for its upgrade and tell us whether it is above or below budget?

**Miss M McIlveen:** At this stage, the approved scheme estimate for the works was approximately £133 million. As the contract for the work is ongoing, the out-turn cost has not yet been finalised, so I am not in a position to give the Member the figure at this stage.

**Mr Ramsey:** I congratulate the Minister and wish her well in her new appointment. You referred in an earlier answer to inferior materials being used on the road: can you assure the House that that was resolved at no additional cost to the public purse?

**Miss M McIlveen:** Yes, I can. Immediate action was taken in conjunction with the contractor to address that. The contractor replaced the affected surfacing to ensure that it met the standards that my Department requires. There was no additional cost.

## Winter Services 2015-16

6. **Mr Kennedy** asked the Minister for Regional Development for an update on the provision of winter services in 2015-16. (AQO 9119/11-16)

**Miss M McIlveen:** The Member will, of course, know that the winter service programme is provided to mitigate the effects of adverse winter weather; it does not eliminate them. My Department will provide a normal winter service with over 300 staff and a fleet of 130 gritters available every day to salt the main road network. Salt barns have been filled to a maximum capacity of over 70,000 tons, with reserve stocks of around 20,000 tons in place. Salt bins and grit piles will be provided at strategic locations for self-help purposes. To further improve resilience, I have approved the purchase of four more snowblowers to supplement the Department's fleet of eight. Snow clearance contracts are in place to enable contractors and farmers to be mobilised to clear roads during prolonged periods of snow. In addition to the preparations for adverse

road conditions, Northern Ireland Water maintains a major incident plan to provide a fully planned reactive response to any major weather-induced incidents. Translink also has severe weather management plans in place to cope with the effect of severe winter weather on public transport services.

I fully recognise the importance of winter service to the people and the economy of Northern Ireland. I recently visited winter service depots at Ballykeel in Ballymena and Airport Road in Belfast to meet staff and see at first hand the vital work that they do. I realise just how passionate they are in caring for all of us at a time of severe weather. They take on a responsibility, and we should be mindful of the fact that they actually go out when it is frosty. The roads that they are on are ungritted, and we should give them a lot of praise for the work that they do.

**Mr Kennedy:** I thank the Minister for her answer. I also take the opportunity to wish her well in her new role. Can she confirm that she has the financial resources to properly and fully fund winter services?

**Miss M McIlveen:** I thank Mr Kennedy for his good wishes as I move forward in the role; I appreciate that. Yes, I can confirm that there is adequate funding to maintain a normal winter service.

**Mr Clarke:** I, like others, welcome the Minister to her first Question Time. Following on from the initial question, what preparation plans does the Minister have to prevent an incident like the freeze/thaw event in 2011 happening again?

**Miss M McIlveen:** I thank the Member for his question. In relation to that, it is particularly around Northern Ireland Water. I remember that particularly well: at that stage I was Deputy Chair of the Regional Development Committee. One of the key recommendations coming out of the Northern Ireland Authority for Utility Regulation report on the freeze/thaw of that year was that Northern Ireland Water undertake a major public awareness campaign in an effort to reduce the extent of water wastage on the customer side. Northern Ireland Water is currently embarking on the fifth year of its winter advertising campaign, which will include television, radio, press, outdoor and online advertising. The theme of the campaign will retain the well-established "Beat the freeze" message. In fact, a number of Members in the Chamber, including members of the Committee, took the opportunity to get involved in some photographs in preparation for the campaign last week.

Northern Ireland Water intends to use media interviews to advise customers on the prevention of frozen pipes and wastage caused by burst pipes, including a video on precautionary measures. Northern Ireland Water also maintains a major incident plan to provide a fully planned reactive response to any incidents that may impact on customers, the environment or business. The plan has been regularly tested during the year and has been exercised in response to real-life emergency situations, including the multi-agency response to industrial action events of December and January 2015. I hope that answers the Member's questions. It is about raising awareness and making sure that everyone realises that they have a responsibility to look after their own property.

**Mrs McKevitt:** I wish the Minister every success in her new role. Given that RPA has happened and we have new



councils, is the Minister confident that they have signed up to playing their part in clearing up any snow or ice? I would like her to include in her answer the clearing of footpaths in our towns and cities to keep our businesses open.

**Miss M McIlveen:** I thank the Member for her question. My Department has obviously prioritised its resources. Our key priority is to salt main traffic routes just to keep traffic moving freely. At the end of the 2014-15 winter season, Transport NI had arrangements with 25 of the 26 councils to provide salt to allow councils, where their resources permitted, to salt busy town centre footways in a time of prolonged ice and snow to keep the local economy moving. At this stage, Transport NI is in discussions to roll those arrangements over with the new councils. It is not anticipated that there will be any issues with that. I hope that that answers the Member's question.

3.15 pm

**Mr Principal Deputy Speaker:** That concludes the period for listed questions. We now move to topical questions.

### Castlerock Road, Coleraine

**Ms Sugden:** I congratulate the Minister on her new role and pay due regard to Mr Kennedy.

T1. **Ms Sugden** asked the Minister for Regional Development for an update on a solution to the significant and dangerous traffic problem at Castlerock Road in Coleraine on which she worked with the Minister's predecessor. (AQT 3151/11-16)

**Miss M McIlveen:** I thank the Member for her question. I am aware of the issue at Castlerock Road and the nature of that in relation to school traffic and the movements in and around that area. I understand that various measures have been put in place to try to reduce risk there. A microprocessor optimised vehicle actuation system was introduced in May 2013; a puffin controlled pedestrian crossing was installed; and we have looked to improve cycling and pedestrian facilities along the Castlerock Road. There are competing demands in that area, and it has obviously become an issue. We are monitoring how those measures progress as a solution.

**Ms Sugden:** I thank the Minister for her response. Further to the measures that she outlined, I feel that the problem is significant enough to warrant more measures in that area. Will the Minister commit to working with the Minister of Education to find a way of providing a solution to the problem?

**Miss M McIlveen:** I thank the Member for her supplementary question. I am happy to do that. I am also happy to discuss it further with the Member and, if it helps, to visit the site to see what the issues are and help to bring it to a resolution.

### Newry Rail Station

**Mr D Bradley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Ceist a dó. Question 2, please.

**Mr Principal Deputy Speaker:** It is a topical question, Mr Bradley.

**Mr D Bradley:** Tá brón orm faoi sin. Excuse me. Sorry.

T2. **Mr D Bradley** asked the Minister for Regional Development whether she is satisfied that the £14 million that was invested in the new railway station in Newry is being exploited fully by the rail company. (AQT 3152/11-16)

**Miss M McIlveen:** I thank the Member for his question. It might be useful if he gave me some more information about where he feels there may be failings and about his perspective from the constituency. Would he like to enlighten me?

**Mr D Bradley:** I certainly will enlighten the Minister. After the recent review of services, there are only 12 trains leaving Newry for Belfast each day, compared with 46 from Portadown to Belfast and 38 from Lurgan to Belfast. There is a 30-minute service from Portadown to Belfast, yet the Newry service has intervals of up to one and half hours. I hope that the Minister sees that there is an imbalance there. Will she review that situation with a view to increasing services from Newry to Belfast?

**Miss M McIlveen:** I thank the Member for that additional information. My understanding is that the numbers using trains from Newry, Poyntzpass and Scarva probably do not justify additional services, particularly early morning services. I will ask officials to look again at the timetabling in Newry to see whether there is a possibility of maximising further usage out of the station. You will understand that the revised timetables came about as a result of a reduction in budget to the Department and, therefore, to Translink. It is all part of a review that has been carried out. I am happy to take it back and look at it again.

### Road Safety: Fermanagh

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I must say that it is good to see the Minister here and not in the castle. I am sure that she enjoys our company more than that of her Executive colleagues.

T3. **Mr Flanagan** asked the Minister for Regional Development whether she accepts the need for enhanced road safety measures in Fermanagh and to state what her Department intends to do to make roads safer in Fermanagh, given that 16 people have lost their life on Fermanagh's roads in the last two years, making it the policing area with the highest death toll from collisions, and there were six fatalities on the A4 from Enniskillen to Fivemiletown and three on the A47 between Kesh and Belleek. (AQT 3153/11-16)

**Miss M McIlveen:** I thank the Member for his question. How could I resist coming to the Assembly for my first Question Time? It was the really the only thing that I wanted to do today.

Obviously, a death on the roads in Fermanagh or, indeed, on any road in Northern Ireland, is a tragedy. My Department works closely with the PSNI and other agencies to assess any safety measures that are required on specific roads. It also takes account of all the recommendations made by police and takes action where necessary. Again, as I have made clear to other Members, if there are roads with particular issues that you believe require specific attention, I am happy to meet the Member to discuss those.

**Mr Flanagan:** I thank the Minister for her answer and her open-mindedness on this issue. On a more general point,

does the Minister accept the key role that catseyes play on our roads to show motorists where the road is going and where there are dangerous corners, particularly in the dark at times of heavy rain? If you travel around the South of Ireland, the catseyes are much brighter and I think that they are of a higher standard. I think that they are much harder to see in the North. Does the Minister accept that, and will she commit to prioritise funding for catseyes in future budgets?

**Miss M McIlveen:** I thank the Member for his supplementary question. Catseyes are recognised as a safety device used in road marking. As the Member highlighted, they are particularly effective in wet weather and in fog, when the effectiveness of road markings themselves are particularly reduced. Obviously, the requirement for catseyes to be installed in a road will be assessed by the local section office. However, as I have said, road safety is a priority and anything that will mitigate loss of life should be included and seen as a priority in my budget.

### Car Parking: Residents' Parking Schemes

T4. **Mr McGimpsey** asked the Minister for Regional Development, in view of the fact that, in built-up areas, planning permission no longer carries with it parking requirements, whether she agrees that residents' parking schemes are the best way to protect local communities in areas such as South Belfast that are polluted by on-street car parking. (AQT 3154/11-16)

**Mr McGimpsey:** I too welcome the Minister to her first Question Time.

**Miss M McIlveen:** I thank the Member for his question. Certainly, regardless of whether it is in Belfast city centre or even some market towns around the Province, parking can prove to be a problem, particularly in residents' areas. I am aware that my officials have been involved in advertising and in the consultation process for a parking scheme in south Belfast. I understand that there were a number of objections, which are being worked through.

**Mr McGimpsey:** I thank the Minister for her answer. Can she assure me that, in respect of the various proposals for residents' parking schemes, she will effectively keep the pressure on her Department to get to a resolution and give these communities much-needed breathing space?

**Miss M McIlveen:** I thank the Member for his supplementary question. I understand that he recently had a meeting with my predecessor about this in the Donegall Pass area. I am happy to pursue this and to seek a resolution on the issues that have been highlighted.

**Mr Principal Deputy Speaker:** Mr Raymond McCartney is not in his place. I call Mr Gordon Dunne.

### Traffic Congestion: North Down Commuters

T6. **Mr Dunne** asked the Minister for Regional Development, after assuring her that his question is not about bikes, whether she recognises the need for Transport NI to do something to reduce the daily traffic congestion faced by commuters from north Down who travel from Holywood along the Sydenham bypass — approximately 40,000 vehicles per day. (AQT 3156/11-16)

**Mr Dunne:** I too welcome the Minister.

**Miss M McIlveen:** I thank the Member for his question. Perhaps those who cycle to work might suggest doing that as an alternative. Transport NI is aware of traffic congestion experienced by commuters along the A2 between Holywood and the Dee Street junction in Belfast. The A2 Sydenham bypass scheme proposal for the route is to widen the existing two-lane dual carriageway to a dual three-lane carriageway.

**Mr Dunne:** I thank the Minister for her answer. Can she give us some indication of when the project to widen the Sydenham bypass will get under way, which will deal with the problem at the entrance to Belfast City Airport as well?

**Miss M McIlveen:** I am conscious of the bottleneck in the area. The scheme proposal is now at the third stage of a three-stage development process. Stage 1 concluded in May 2008 with the selection of the proposed corridor; stage 2 concluded in February 2010 with the selection of the preferred option for the scheme; while stage 3 involves detailed assessment of the preferred option and ongoing consultation with key stakeholders. That will result in the publication of the statutory orders: the draft direction order, the environmental statement and the notice of intention to make a vesting order. The current budget allows that development work to continue. However, progression of the scheme to publication of the statutory orders will be subject to future years' funding.

### Narrow Water Bridge: Update

T7. **Ms Ruane** asked the Minister for Regional Development for an update on the Narrow Water Bridge, given that she will be aware that it is a very important project, with the people of Louth and Down very interested in seeing it built. (AQT 3157/11-16)

**Miss M McIlveen:** I thank the Member for her question. I am aware of the Narrow Water Bridge project, which was proposed and sponsored primarily as a tourism project under INTERREG IV. My Department has, and has had, very limited interaction with the original project, other than on those matters relating to bridge orders and licensing. I am unaware of any specific intentions in bringing the project back to life, although I have heard speculation in news reports. As yet, I have not had any firm update.

**Ms Ruane:** I thank the Minister for her answer. I am aware of the bridge order, North and South, and the planning. In the light of the fact that it is such an important project — it is a tourism project but also an economic one — will she do everything that she can, including meeting the Taoiseach where appropriate, for the project?

**Miss M McIlveen:** I am happy to look at it as a project. However, I emphasise again that it is a tourism-led project as opposed to something of strategic importance for my Department. Nevertheless, I am happy to look at it.

### Footpaths: Lowered Kerbs

T8. **Mr Allen** asked the Minister for Regional Development whether her Department holds any information on the number of footpaths in Northern Ireland that, at their beginning and end, do not have lowered kerbs. (AQT 3158/11-16)

**Miss M McIlveen:** I thank the Member for his question. I do not have that information at hand, but I am happy to give it to the Member by way of a written answer.

**Mr Allen:** Is the information readily available? If it is not, can research be carried out? As I am sure she understands, I have a major problem, and a number of constituents have approached me about the major difficulties that they have when trying to mount and dismount footpaths to get to another footpath.

**Miss M McIlveen:** I am happy to get that information. I will ask officials to forward it to you, if it is in a format that is easy to forward.

As a constituency MLA, as we all are, I am aware of the difficulties for people with a disability, as well as mothers with prams and so on in being able to use footpaths. Through my office — I am sure that others have the same experience — I have lobbied Transport NI, or Roads Service as it was, to make provision where necessary.

**Mr Principal Deputy Speaker:** That ends the period for topical questions to the Minister. I ask Members to take their ease while we change the top Table.

3.30 pm

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

## Ministerial Statement

### GCSE Grading

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom fógra a dhéanamh faoin ghrádú do TGM a bhronntar i dTuaisceart na hÉireann. I wish to make an announcement on the grading of GCSEs awarded in the North of Ireland.

Throughout my time as Minister of Education, I have sought to make decisions in the best interests of our children and young people. As a result of changes to examinations and qualifications policy in England over the last three or four years, I have been presented with a range of significant issues to be addressed as they affect here. My response has been to seek professional advice and discuss the issues with the education sector and the wide range of stakeholders who have an interest in education. I have taken my time, because policy development should be given careful consideration.

I have taken decisions that reflect the strategic priorities here rather than those of any other jurisdiction. In particular, I have sought to take decisions that support the shared vision we have for the future of our economy and society and reflect our collective desire to improve educational outcomes and tackle underachievement. I have considered the consequences, the evidence and our educational objectives.

Most recently, I consulted on the grading of GCSEs and whether grades should be awarded alphabetically from A\* to G, as they are at present, or numerically from 9 to 1, as is happening in England. The question arises because of changes that have been made in England. Those changes are the responsibility of Ministers in England, and I understand that they must take the decisions that they believe are right for England. However, I need to respond to the impact of their decisions locally in a way that serves the interests of the young people in our jurisdiction.

From that consultation, I came away with two very clear messages. First, there are no educational arguments for changing the grading to a numerical system. Whether the award is in letters or numbers does not help to improve outcomes or address underachievement. This is not, therefore, an issue of outcomes. Secondly, there is general interest about whether it will be possible to compare one set of grades with another. At a purely practical level, English awarding organisations will, for a while, be making their awards using letters as well as numbers as their reformed GCSEs are introduced in tranches. The Welsh have decided to retain the alphabetical grading system.

There will have to be a comparative scale. All awarding organisations, including the CCEA, will be responsible for making sure that parents, schools, employers and others know how the two scales compare. We know, for instance, that grade 4 will be anchored to grade C, and grade 7 will be anchored to grade A. I especially recognise the concern that has been expressed to me that it will be unnecessarily confusing for everyone to maintain a mixture of letters and numbers for GCSEs. An exam certificate

should be an immediately recognisable record of a young person's achievement, not an alphanumerical challenge to a reader.

After consideration of the options available to me, I have reached the decision that grading of all GCSEs here will continue under the present alphabetical system. That will mean that, from summer 2017, GCSEs here, regardless of the awarding organisation, will continue to be awarded using the A\* to G grades. I have instructed CCEA to continue its revision of GCSE specifications to reflect that.

I make it clear that my decision in no way affects the operation of the open market we have for GCSEs. Awarding organisations other than CCEA play a valuable role in our education system. I am not asking them to change from the alphabetical grading that they currently use, and I am very happy for them to continue to operate here and to offer services to our schools, provided they can meet our needs.

However, I appreciate that the different decisions reached here, in Cardiff and in London will inevitably present some challenges for other awarding organisations. I have, therefore, asked officials in DE and the CCEA regulator to work with the awarding organisations based in England to explore how we might support them and vice versa to make the necessary arrangements. WJEC in Wales will, of course, already be awarding using letters rather than numbers.

I have heard no compelling arguments for change, and I have heard strong arguments for consistency. I believe that it will be in the best interests of learners here to continue with the established practice of awarding using letters, and we must avoid unnecessary complexity as far as possible. I appreciate that there is anxiety around the perceived risk to our young people going out into the world with a GCSE certificate that is anything other than a string of numbers like their English counterparts have. However, I hear of no anxiety in Scotland about their young people not having the same GCSE grades as in England, and nor do I hear it in the South of Ireland, Canada, Poland, Germany or any other jurisdiction; rather, I see that they have confidence in their education system. I have confidence in our education system and in the hard work and attainment of our young people. I want that attainment to be rewarded and recognised across these islands and beyond.

**Mr Weir (The Chairperson of the Committee for Education):** I thank the Minister for his statement to the House this afternoon and for the opportunity for the Deputy Chair and me to receive a briefing from the Department beforehand. Members of the Committee feel that, where there is reform and revision of our examination system, it should focus on ensuring measurable benefit for young people in Northern Ireland by providing high-quality portable qualifications that are easily understood, compared and appreciated by students, employers and further and higher education providers in all jurisdictions.

I welcome the Minister's remarks. It is the right decision to retain the alphabetical grading for Northern Ireland. I also welcome the fact that he is striving to avoid any level of confusion by ensuring that letters are simply retained rather than there being a mixture of letters and numbers. However, I still have concerns about comparability and portability. Will the Minister advise how he intends to take forward the issue that has been raised of a GCSE C here being considered as

a 4 in England when employers in England may be seeking a 5 or above? Similarly, the A\* here may well be regarded as being the equivalent of an 8 in England, thus potentially denying students in Northern Ireland the equivalent of the highest possible grade in England — grade 9 — which, again, may act to their detriment. How does he intend to cope with those issues of comparability, and how does he intend to keep the system under review so that, if problems arise, changes can be made?

**Mr O'Dowd:** I thank the Member for his questions. I apologise to him for not being able to brief him personally. I am sure that he understands, given the day that is in it.

I welcome the Member's comments around the decision that I have made. His comments around how we measure our qualifications against those in England are perfectly valid. They will be measured as we have measured other qualifications coming into our jurisdiction or as the English awarding bodies have to measure other qualifications coming into their jurisdiction. It will be done through discussions between CCEA and Ofqual. I am confident that the universities here and in Britain will be able to measure our qualifications against English-graded GCSEs, Welsh-graded GCSEs, the Scottish model or the model in the South. Even in these groups of islands, a very complex group of qualifications is emerging in the different jurisdictions as a result of decisions that Administrations are perfectly entitled to take. I am confident that we will continue to work together through Ofqual and CCEA and that we will be able to manage the process. I believe that the current grade C will be the equivalent of a grade 4, as the Member has said. There may be discussions around that.

It is also worth noting that the system in England is evolving. It has been brought in in tranches. It will take time to settle and evolve. We will work with our counterparts in England to ensure that not only are our qualifications understood in England but qualifications coming in from England to here are understood by employing authorities, educational authorities and universities.

**Ms Maeve McLaughlin:** I thank the Minister for his statement. I note that he has said that there is a strong argument for consistency on this issue. Has there been any evidence at all that the changes in England will lead to increased educational attainment or better educational outcomes for our young people?

**Mr O'Dowd:** No, there is no evidence to support that. In fairness to those who sponsored the changes in England, they were quite clear from the outset that introducing the new marking system in England was not about increasing outcomes. I do not want to get into a discussion of why changes were made in England; as I have said repeatedly in the House and other places, they are perfectly entitled to introduce those changes. When they introduce changes such as that, it presents challenges for me as Education Minister. As I said in my statement, I have measured this debate. I have taken my time on these decisions and have consulted all interested parties. We ran a 12-week consultation on the matter. It has to be said that strong views were expressed on either side of the argument, but nowhere in the debate was there a strong educational argument that changing your awards from A\* to G to 9 to 1 would improve educational outcomes. Our target and objective in this society has to be to improve educational outcomes for our young people.



**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a chuid freagraí. I thank the Minister for his answers so far. I have been around long enough to remember when O levels were graded from 1 to 9. We then changed to A to G at GCSE, and now the English are changing back, not from 1 to 9 but from 9 to 1. When I was there, the older cynics in the education system believed that one should not rush into any change because you usually ended up back where you started. I do not know whether the Minister agrees with that analysis. Does the Minister have the power to compel external awarding bodies to report in letters in Northern Ireland?

**Mr O'Dowd:** I am shocked that you have met old cynics in education; I do not know where they are. Yes, I have the power to ask what are known as the English awarding bodies to award their exams in connection with our curriculum and policies here. I have tasked CCEA to engage with those bodies and to establish how they assist us and how we assist them in moving the process forward. I have the power to do so.

**Mrs Overend:** I thank the Minister for his statement. I share the concerns of the Committee Chair about the portability and comparability of the GCSE grades. Furthermore, I note that the Minister said that he values the roles of bodies other than CCEA in the provision of grades. If the English boards refuse to retain the alphabetical system, which they might, given the inconvenience and the small market for GCSEs in Northern Ireland, does the Minister plan to go as far as using his powers not to approve their qualifications, which could close the market for GCSEs in Northern Ireland and effectively create a monopoly for CCEA in the provision of GCSEs here?

**Mr O'Dowd:** First, on comparability — Mr Bradley also touched on the point — there are many people in the Chamber who have O-level certificates, and if they were to seek employment now they would use those O-level certificates, which employers and higher and further education bodies can compare with current qualifications. There are qualifications in the market other than GCSEs, and employers or higher education institutions can compare those as well. The comparability issue is not a new thing. It is new to the GCSE market because of changes that were introduced elsewhere, but employers, educators and others have had to deal with the matter since the beginning of time in the comparison of examinations. I am confident and they have expressed confidence to me that they will be able to cope with these matters.

I am not seeking to close down the market. I am seeking to work with what are known as the English providers on exams. I have tasked CCEA with going to speak to them to find out, as I have said, how we can assist them and they can assist us. If we work together, we will be able to assist each other in that regard. I certainly do not want commercial considerations to dictate how we set our education policy in this jurisdiction; that would be a huge mistake. I have no doubt that some bodies will have commercial considerations, but I cannot allow them to set our education policy.

### 3.45 pm

**Mr Lunn:** I enjoyed Mr Bradley's history lesson. I can add slightly to it, because I hold two certificates from a year that I am not going to mention: one for GCE and one for O level, both awarded in the same year. That was before

the "S" came in and probably before the changes that Dominic mentioned. Does this mean that we will have five different systems across these islands, as we are prone to say, including the Republic of Ireland? Is the Welsh model the same as ours? I am not too familiar with the Scottish model. This is total confusion for portability and comparability purposes and for the universities that will be trying to weed out what the qualifications mean.

**Mr O'Dowd:** We and the Welsh have stayed with grades A\* to G, so we are the same. England has gone down the figures route, 9 to 1. The Southern market has the junior cert and the awards and scoring within it. For as long as I can remember — others in the House may have the exact date — the Scottish have had their own very respected examination system in place. When you look at the obvious geographical closeness of Scotland to England and Wales to England, you will see that they have managed to cope with all those things. They manage to cope. Of course, students travel from here to England, whether for work, higher education, university or whatever it may be. I am confident, from the commentary in the consultation, discussions with experts in the field and the experience of universities that have to deal with qualifications from around the globe and around Europe, that the matter will be easily resolved by our university colleagues as well.

**Mr Craig:** Given the point raised by the Chair of the Education Committee, is the Minister inclined to introduce what would be the equivalent of grade 9 — an A\*\*? I think of the poor parents who will have to struggle with the complexity of the numbers, letters and all the rest of it, so has any thought been given to what would almost be a dummy's guide to it, Minister? Not all children here go on to university in the Province; in fact, a lot of them go on to apprenticeships and equivalent jobs across the United Kingdom. It is important that there is an understanding of that.

**Mr O'Dowd:** I have no plan to introduce an A\*\*. Our highest-performing pupils are awarded an A\*, and they can stand confidently with that certificate in any jurisdiction and be confident that they are high-performing pupils, with the recognition that they deserve for the work and commitment that they have put into their exams and course work over that period. I have no plans to do that.

You mentioned parents and parental understanding of this. I am more than happy to send out as much information as possible or as required to whichever section of society requires it to familiarise them with the process moving forward. However, it is worth noting that, particularly in universities, it is only in a very limited number of courses that a university will go down as far as GCSE grades, and those are the highest-demand subjects in a variety of universities. I suspect that there is a long way to go before a university will go to GCSEs, because, for a number of those higher-demand courses, you have entry examinations into the university, your A levels, obviously, and interviews etc. As I said to other Members, the universities will be more than able to understand this.

The local colleges tell me that they will be able to deal with our grades being A\* to G and England's being 9 to 1. The reason why I went and instructed CCEA to go to what are known as the English awarding bodies and tell them that any GCSEs being awarded here will be scored alphabetically was to ensure that, when parents are looking at the GCSE results that are coming from the local school, they will all be marked the same way. There will

be no A\*\*, 9 or whatever it may be; they will all be marked the same way. The information that parents have in front of them about their children's examination scores will all be the same in this jurisdiction.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. What assurance can the Minister give, particularly with regard to the continuing existence of barriers to cross-border mobility at undergraduate level, that this system will indeed be portable, compatible and recognisable in the rest of Ireland for people who want to go to university where stipulations are in place that they need a certain standard of GCSE English or maths?

**Mr O'Dowd:** The same rule applies perhaps, as I said to Mr Craig, in relation to universities in the South of Ireland: they will only be going down as far as GCSEs for the very-high-demand topics. Universities will be able to read this across, as has been the case before. We are not making any changes to our scores in that sense, so universities in the South will understand our GCSE scores, and they will be comparable to whatever other measures they have in place for entry to their courses.

As the Member will be aware, discussions will continue with university organisations in the South to ensure that our qualifications are given the due credit that they deserve. Significant progress has been made over the last number of years. Indeed, Mr Farry has been involved in those discussions as well. I am aware that discussions are continuing with the Irish Universities Association and within it about how to continue to improve the recognition of our qualifications here to ensure that young people have the ability to travel to either part of the island to continue their education.

**Mr Hazzard:** I welcome the Minister's statement. I think that it is a confident decision by the local education system to go this route. Will this decision have an impact on those subject areas here that maybe do not attract as many entrants as others? Will this decision perhaps have an impact on that, and what can we do to ensure that those subjects are still available going forward? Go raibh maith agat.

**Mr O'Dowd:** Clearly, with such a wide-ranging curriculum, a wide range of subjects can fall under GCSEs. There may be a number of GCSEs that have very low entry numbers, which, for commercial or other reasons, the English awarding bodies may not wish to award any further here. We will work with those bodies around that. We will see whether CCEA can develop examinations around that. There is also the option to buy the stipulations around those exams from another awarding body so that we can use them. There are a number of avenues that we can explore to ensure that we still have as wide a range of GCSEs available to our young people as was the case before.

**Mr Allister:** On a day when the Minister and his party roll over and ask Westminster to legislate on welfare reform, is this not an irrational and political decision to bolster the Minister's anti-England credentials, wreaking havoc with the portability of qualifications and creating a conundrum for students, parents, employers and universities? Indeed, it is a conundrum that might well fit a transfer test question: if John gets a B in Belfast, what would it be in Bristol?

**Mr O'Dowd:** There are too many conspiracy theories going on in the Member's head to be healthy, I have to say. If he takes nothing else on from me, perhaps he will take on that

piece of advice. The Member is a barrister and therefore I would hope that, in his deliberations, he deals with evidence. If he cares to look at the consultation responses that have come back on this matter, he will see that there is very strong evidence for the decision that I have taken today. The strongest evidence that I have related myself to is that our objective — or any decision that you make in education — has to be about improving outcomes for young people. Changing how you score exams does not improve outcomes for young people. There is no evidence to support that theory. You do not change or improve your education system from the top down. I am very confident that universities in England, which deal with students from throughout the world, will be very able to cope with students travelling from here with GCSEs when the main determiner for entry into universities is A-level results. Even in England, there is not a whimper about changing how A levels are scored. They may make a decision in future, and they have a perfect right to do that. We will consult and gather evidence, and I hope that whoever is Minister at the time will sit down and talk to the experts in the field and make a decision. There is no conspiracy theory here; all my deliberations and decision-making are backed up with firm evidence.

**Ms Sugden:** I thank the Minister for his statement. How will GCSE-equivalent courses in FE colleges be affected by this?

**Mr O'Dowd:** Again, there are no changes. Our further education colleges will be able to read qualifications across quite easily. We have students coming here from England, and it will be the reverse of what colleges and universities in England have to do. They will compare those results across. Again, Ofqual and CCEA will engage with each other; we know that the 4 is set to a C grade. That information will be extrapolated across to our colleges. The colleges inform me that they will be more than capable of taking on board all that information and transferring it into how they deal with students entering their courses.

## Private Members' Business

### Local Government (Numbers and Addresses of Buildings in Townlands) Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Local Government (Numbers and Addresses of Buildings in Townlands) Bill [NIA 63/11-16] be agreed. — [Mr Flanagan.]*

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I want to start by thanking Members for their contributions to the debate earlier. Some of those contributions were insightful, some were helpful and some were completely off the wall, they were that detached from reality. The Minister of the Environment has informed me that, unfortunately, he cannot be here to respond to the debate. He is down in the castle or the house doing something. I am not quite sure what he is doing. Maybe there will be an announcement at some stage and we will be informed, but I accept that the Minister is unable to be here and I will not hold it against him.

I will turn to some of the comments that were made by Members. Anna Lo, speaking on behalf of the Environment Committee, wondered aloud why this policy change could not be done on a voluntary basis and said that, during the Committee hearing, some members had suggested that any councils that wanted to could merely introduce this change themselves. However, in Fermanagh, that was done not so much voluntarily but in an unauthorised fashion for 40 years. In recent years, that caused significant problems for citizens in their engagements with credit-referencing agencies. It is for that reason that the council moved away from the unauthorised or what some have called the voluntary system.

There was also significant potential that someone would take a legal case against Fermanagh District Council as a result of its failure to enact the legislation governing the issuing of property numbers along a roads-based system. As a result, the majority of councillors accepted the need to enact a legislated-for system. The council also sought this specific legislative change to be made to allow it to continue to use the townland-based system but in such a way that would allow citizens to avail themselves of credit, to get home deliveries and to use GPS systems effectively.

Anna Lo also reminded the House that her party had previously tabled two motions in the Assembly calling for greater support for townlands and she indicated that her party remained broadly supportive of the protection of townlands for heritage purposes. Ms Lo also indicated that she felt that changing the system appeared complicated. Hopefully, the Bill will pass Second Stage and be referred to her Committee where those complexities can be addressed appropriately, under her stewardship.

Anna also told the story of a young friend of hers from Fermanagh — it was not 'Anna from Fermanagh'; that is a story by a famous Fermanagh man — who bought a house in south Belfast and had problems proving that her old address existed using the townland-based system. That is exactly the type of problem that people in Fermanagh faced for years, where the unauthorised system was being used without legislation. That meant that people did not have a unique property reference number, which made

it difficult for them to pass credit checks, get products delivered or use GPS, satnavs and things of that nature.

That is why the voluntary approach that some Members are proposing will not work. If we move to a system where a council introduces a townland-based system without it being set out in statute, we will throw up all the problems that were there in the past. The only solution to that is for this legislative change to be made to allow councils to number properties based on a townland system within legislation, and not stepping outside it. I am amazed to hear some Members, who will tell you that they are members of a law and order party and want the law adhered to, openly calling for councils to break the law. There is a very strange anomaly here. We have Members who call for people to support the law yet, on this occasion, are calling for councils to break the law and step outside the rules that currently govern how councils can legally administer property numbers. I was a bit alarmed to hear that. Hopefully, it was a misunderstanding, and they are not actually calling for people to break the law.

#### 4.00 pm

Anna Lo concluded by saying that her party was content to support the Bill and to scrutinise it during Committee Stage. That is a pragmatic view, as not everybody is in favour of the specific proposal before the House today. I accept that, but I think that the best way in which to deal with any concerns that exist or any confusion that individual Members may have is to allow the Bill to progress to Committee Stage, where the 11 members of the Committee can engage in a proper public consultation, see what issues there are and see how those can be resolved.

Pam Cameron fails to understand why the issue needs rooted in legislation and wondered why we need legislation for something that there is no need to do. I contend that there certainly is a need and a demand for this among many rural dwellers, and not only those in Fermanagh. Some people think that it is only an issue there. It is not just an issue for Fermanagh. I had responses from every constituency in the North. People in rural communities, and, indeed, in many urban communities, are lamenting the fact that the townland-based system is being eroded, and it is being eroded because of the changes that took place in 1972 to amend the legislation to introduce road names. In the debate that took place in 2001 — 14 years ago — it was all well and good for Members to get up and blame Royal Mail. Everything was Royal Mail's fault or the Post Office's fault. It was not Royal Mail's fault at all. It was merely adhering to the legislation that was introduced. It was a legislative problem that a previous raft of reform of local government enacted. We now have a situation in which a legislative change can protect and promote townlands, and Members appear not to want to support that change, which I find a bit strange.

If the Bill moves to Committee Stage, hopefully the fuller public consultation that the Environment Committee will engage in will demonstrate that there is a level of public support for greater promotion and protection of townlands. I am confident that those who will engage in such a consultation will quickly see that there is a demand for this legislative change. Who knows? There may be issues raised out there about how we can better promote and protect townlands. Members opposite want to see a

voluntary scheme, but they do not want to see any kind of a scheme set in statute. This would be a voluntary scheme even though it would be set in statute. We are not forcing anybody to do anything. Members opposite use phrases about why we cannot do this on a voluntary basis, but it would be done on a voluntary basis. We are opening up a mechanism to allow local councils to do this voluntarily if they so want. I have stated before that I am not forcing Belfast City Council or any other council to do something that it does not want to do. That would be wrong on an issue pertaining to the protection of culture and heritage. It would be done on a voluntary basis, but the councils need the legal protection to do it, and they need to be able to do it under a mechanism whereby citizens are not being disadvantaged by the change.

Pam also wanted to know what consultation took place with the emergency services and listed a pile of other organisations that she wanted to see consulted, including the Police Service, the Ambulance Service and the Fire Service. I want to put it on record that those organisations were all consulted. Their views were sought on the proposed legislative change. It may be the case that such organisations will be interested in participating in a more extensive consultation at Committee Stage, and that will be the best place for the Member to find out the views of the emergency services, instead of her standing up here speculating that those organisations will be opposed to such a change.

There is an element of doubt creeping in here around the suggestion that, if we use a roads-based system for allocating property numbers, there will never be a problem finding properties. In 2001, Eddie McGrady highlighted a case in which an ambulance driver stopped him in distress at not being able to find a property on a 10-mile stretch of road. That is the case across the North, where there are very lengthy pieces of road on which, unless you have local knowledge of where a house number specifically is or of where an individual lives, you will have problems using the roads-name-based system to find an address.

**Mr Hazzard:** I thank the Member for giving way. That is a point that I wanted to raise with Mrs Cameron earlier in the debate, and I certainly contest that this is an issue only for Fermanagh. In my constituency of South Down, just outside Hilltown and Mayobridge, we have the townland of Leode — Leode Road — and the residents in that area refer to it all the time. They have trouble all the time with emergency services, which, for some reason when they look at Google Maps and satnav, see Cross Road.

Not one local resident refers to it as Cross Road, and that causes considerable problems. Emergency services have ended up in Crossmaglen, which is maybe 30 minutes away from the actual place. I put it on the record that this is not just a problem for Fermanagh but a problem right across the board. It is not the case that it will cause confusion; rather, in a lot of circumstances, it will go a long way towards helping to address confusion.

**Mr Flanagan:** That certainly highlights one of the challenges that we face across the North with addressing. It is clear that the people best placed to deal with addressing are the officials in LPS and the experts in building control in councils. I am not putting in any parameters for how issue property numbers or name roads. A sensible proposition coming out of the Chamber today is that councils are given the power not only to

number properties, as they can do at the minute, along a road, a street, a cul-de-sac, a boulevard and all those other fancy types of street that have emerged in recent years but to go back to the historical system of townland names that was always used on this island.

I return to the emergency services issue. Whether a council uses a roads- or townlands-based system, the challenge will remain the same when trying to find a property in an emergency. That will not change. If you do not know where to find an individual property number along a 10-mile road, the best way to do that is to have an accurate GPS system that will bring you to it. Most emergency services and most people engaged in the delivery of services to houses now use GPS or some form of satnav to bring them there. As the Member for South Down indicated, that is not always 100% accurate, but it would be no less accurate in a townlands-based system than it would be in a roads-based system. If you do not have local knowledge, the only solution is to use GPS to find these places, unless you are willing to stop and ask for directions, which, unfortunately, we see emergency services having to do, even in areas where roads are used as a characteristic for finding properties.

We cannot expect everybody to know where every house in the countryside is, no matter what you do for a living. I suppose that there was a time when the parish priest knew where every house in the countryside was, and the postman might have a fair idea. However, as Mrs Overend indicated, even the police do not know where houses are. All those jobs are not now based in one area for a lifetime; you see people being rotated round various areas, whether they are clergymen or clergywomen, postmen, police officers or other emergency services personnel. The case that people do not know where every house is exists at the minute under the roads-based system. Introducing a townlands-based system would not make it any less efficient, and that problem, unfortunately, would remain under the current proposal. However, I will tell you what it would do: if an ambulance driver stopped and asked me where house number 297 was on a 13-mile road, for example, I would not have a clue, but, if you gave me an indication of the name of the townland, I could certainly tell you where the house was on that 13-mile stretch of road. That is how this change would have a positive benefit. All those issues are anecdotal and would need to be drawn out further at Committee Stage, if we want to find out how bad the problem is in the areas where a roads-based system has been adopted and whether moving to an optional townlands-based system would make it any worse.

Cathal Boylan said that he was proud to come from the townland of Caramoyle. He highlighted the fact that, when you look at headstones around graveyards, you can see the common usage of townland names by previous generations. If I had a time machine, it might be interesting to travel forward 50 years and look at people's headstones, because when I look at —

**Mr Weir:** Still no united Ireland.

**Mr Flanagan:** Sorry, does the Member want to make an intervention? No? I thank the Member for his contribution; I wish him well.

If we were to travel forward 50 years in a time machine, Peter Weir would probably still be over there as the Whip of the DUP.



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

**Mr Flanagan:** Yes.

**Mr Weir:** I am glad that, even in his speech, the Member is willing to acknowledge that, 50 years from now, we will still be in an Assembly in, obviously, a partitionist state. Clearly, even within 50 years, there will not be a united Ireland.

**Mr Flanagan:** I will return to the debate before Mr Beggs gets out of the Chair and gets too excited. Who knows what this lovely room will be used for in 50 years' time? I doubt that it will be used as a regional Parliament in the north of Ireland, anyway.

I return to the issue of townlands. If we were to travel forward 50 years in time and go round graveyards, would the headstones of people buried now read, "This is such-and-such from such-and-such a townland", or would they read, "This is such-and-such from number 155 on some random road"? Those are the anomalies that have resulted in recent years from the change. Will we stand idly by and allow this reduction in our culture and heritage to happen? Townlands are a part of us all. They are where we come from and where we take our sense of identity. I do not take my sense of identity from the name of a road, but I take it from a townland. I am conscious that many people in our society do likewise.

Cathal also highlighted the fact that he was concerned that the younger generation in particular had little or no understanding of the townlands in which they live. That is the rationale behind the proposed legislative change: it would cement the use of townlands in council areas that decided to implement it. In my view, there is no better way to increase awareness of townlands than to have them as the principal part of the addressing system. As I said at the start, not all councils will implement and adopt the change, so something else needs to happen in those other areas. However, the mechanism of allowing councils to number properties in a townland, returning townlands to the heart of the address, would go a long way to restoring townlands in many areas.

Cathal made a useful contribution when he welcomed the efforts of many local and central government agencies to increase their use of townlands but said that he believed that, without legislation, the usage of townlands was inconsistent. He said that he supported the Bill as it would help to ensure that future generations would be able to use and understand their townlands.

We had situations here in the past where MLAs told us that our townland was on our driving licence, but it is not on everybody's driving licence. If there is room for it or if the DVLA or the DOE can be bothered putting it on, it will put it on, but it is not a hard and fast rule.

**Mrs Cameron:** I thank the Member for giving way. On his comments about inconsistency, surely, if the legislation were passed and councils had the choice of whether to implement it or not, you would still have inconsistency.

**Mr Flanagan:** I thank the Member for her intervention. I do not necessarily get the point that she makes; maybe she is making the point that, if some council areas adopt it and others do not, there will not be a uniform system across the North. Is that the point that you are making?

**Mrs Cameron:** Yes.

**Mr Flanagan:** OK. I appreciate that. Maybe it is an argument, but why do we need a uniform system in every district council area? Why can we not allow councils to decide how best to issue property numbers? Surely, they know what their people want better than anybody else. If I were to tell a Member of the House that they did not represent their constituents and that somebody else should make those decisions, that is effectively the same as telling councillors and local government officers that they are not best placed to make the decisions, even though it is they who have the statutory responsibility for issuing property numbers.

**Mrs Overend:** Will the Member give way?

**Mr Flanagan:** In one second, Sandra. All we are doing is — Jesus, there's the heavy hitters now — enhancing the ability of councillors and councils to offer property numbers in a townlands-based system. I do not think that there is any problem there with having one system in one area and a different system in another area.

**Mrs Overend:** I thank the Member for giving way. On that issue, I foresee a problem. For instance, my postal address is Portglenone, which is a County Antrim address. It is part of the mid and east Antrim area; yet, I actually live in County Londonderry. So there is a conflict there. I foresee that sort of problem.

**Mr Flanagan:** I suppose the problem there is that the Member's postal town is not actually a town in her council area. That will not be addressed by this issue, but it is an anomaly that happens right across the board. I used to work in Newry, and I used to see people from Crossmaglen coming in, and their address was Crossmaglen, Newry, County Down. People in Crossmaglen, I would imagine, do not like being told that they live in County Down, but that is what Royal Mail tells them.

**Mr McCarthy:** What is wrong with County Down?

**Mr Flanagan:** There is plenty wrong with it, Kieran. Pete McGrath is a top man, though.

The problem there is not with this system. Mrs Overend highlights a problem that exists already. This legislation would not make that any worse. It might not make it any better, but it does not change it. The problem that you highlight already exists, and the proposed change would not be the cause of that problem. I contend that your postal town should be your postal town, not one in a different county. That is a serious problem, but it is not something that this legislation is looking at.

Dominic Bradley, in his contribution, highlighted some of his favourite townlands in his area and said that locked within our townland names is a wealth of history. He highlighted that reading some of the excellent publications of the Place-Name Project unearthed our rich history. There then ensued a dispute between two Members from Newry and Armagh about the etymology of the townland of Caramoyle, and I am certainly not going to get involved in that dispute.

#### 4.15 pm

Dominic lamented the fact that a previous Finance Minister, who he says knew the price of everything and the value of nothing, could not find the match funding to sustain the Place-Names Project. I certainly agree with that. I remember having correspondence with and meeting

those behind the Place-Names Project at the time and getting some understanding of the benefit of that project in increasing the awareness and understanding of townlands across the North, particularly in areas where they had been allowed to fall into disuse. It was not so much in places like Fermanagh, Armagh or Tyrone but in other rural areas where townlands really were not on the agenda as such. They carried out an extensive project on getting the actual meaning of townland names and letting people in those townlands understand the origins of the word. We should consider looking at the Place-Names Project again. Dominic highlighted that townlands tell us not only about the topography of an area but about the people who once dwelt in it. You have townland names that are derived from the geographic nature of an area but also townlands that get their name from the people who resided in it at one stage.

Dominic highlighted something that I forgot to mention during my earlier contribution: the importance of townlands to lodges of the Orange Order. He said that the Orange Order is doing its bit to support townlands. I raised that issue during my contribution at the Environment Committee. I certainly agree with him, and if the Orange Order is doing its bit for townlands, I certainly think that we, as a legislative Assembly, should be doing our bit as well.

Dominic referenced the work carried out in many areas across the North to highlight townlands using attractive stones and markers. That approach was never needed in Fermanagh because of the central point of townlands on one's address; we did not need stones to mark it out. It is worth exploring that in areas where townlands are not well understood and where people do not know what townland they live in. Despite what Members say, I know an awful lot of people outside Fermanagh who do not know what a townland is or what townland they live in. So, anybody who tells me that there is no need for this legislative change and that we do not need greater protection for townlands is, frankly, arguing from a point of ignorance. Dominic also said that, in some areas, townland names are not as prominent as they could be. In my opinion, the Bill would put them back into pole position in the areas that adopt this change.

Dominic concluded by asking what account had been taken of the Good Friday Agreement and the European Charter for Regional or Minority Languages. I will be honest: it was not to the fore of my mind when developing the legislation, and I specifically left out any reference to language at all because I knew that that would be the issue that some Members would run with. This is purely about the culture and heritage of townlands; it has absolutely nothing to do with the Irish language or with any other language. So, I remind any Member across the way who wants to throw that up as an issue that I deliberately left out any reference to the Irish language in the Bill in order to try to get cross-party support on what is a non-contentious issue.

I will turn to Sandra Overend's contribution. Sandra alleged that she has experienced no problem in getting her townland onto official addresses. Well, she must be the only one. I would be interested to see her bank statements, her driving licence, her mobile phone bill, her BT bill and other such correspondence because, frankly, I do not believe her. There are so many people trying to get their townlands onto such correspondence but who cannot do it, and it does not wash for one Member to say, "Well, I have

no problem doing it and I do not see the problem here". Maybe Sandra will produce those for me at a later stage.

Sandra also said that she does not see why anyone would abandon the current situation. I say to the Member that the current process of numbering properties along a road name may be effective and efficient, but it has led to the decline of townlands. It has been highlighted in several debates in the Chamber, and outside it, how the numbering of properties along road names and abolishing the system of numbering them in a townland has had a direct impact on the preservation of townland names. This legislative change would, hopefully, reverse that in some areas.

Sandra then raised some practical matters not contained in the Bill, such as where we would start with the numbering in a townland. Once again, I deliberately left that out because I wanted the Bill to be as simple and straightforward as it could be; and the guidance and advice that came, particularly from DOE officials and officials in the Bill Office, was that the best course of action was to place a duty on DFP to issue guidance to councils on how to carry out the process of numbering properties. I say to the Member that where we start in a townland and whether you go clockwise, counterclockwise or up and down a road is purely a matter for the councils, taking into consideration the advice of DFP and the expert knowledge that each council has through its building control officers, because they are the people who know best how to decide on those matters. They are the experts in issuing numbers to houses and other properties. That is where we should leave the power. We should not be stipulating in the Bill how councils number properties. There is no stipulation in the Bill that odd numbers have to be on one side of the road and even numbers on the other. There is no stipulation that you have to start with the lowest numbers on the side of the road closest to your local post office or town hall or east or west. That is not stipulated in the Bill at the minute. The proposal I am bringing forward does not seek to amend or enhance that in any way. What it does do is call for the Department of Finance and Personnel to introduce guidance so that officers, when making those decisions, and councillors, when deciding on them, will do so with the best expert knowledge.

Sandra again raised the issue of the emergency services. I am amazed if Sandra is really that naive to think that there are no problems using the current roads-based system on roads that are 10 or 13 miles long. She also raised the issue of additional cost. There is going to be no additional cost to the Executive from this legislative change. The only additional cost is going to be for LPS, which will have to draft guidance for councils. It is not that cumbersome a process.

Mrs Overend stated that she does not want to give the townland primacy, which is an approach that I am reluctant to hear but it really sets the rest of her comments in context. She falsely claimed that I want to go back to the previous unauthorised situation. She must not have been listening to my contribution today or when I appeared before the Environment Committee. I have clearly outlined that I do not want an unregulated system. I want councils to be able to adopt an authorised system where townlands can officially be the primary part of an address-based system. Mrs Overend simply says she does not support that, and that is fine. Her opposition is clear and she

should not introduce irrelevant issues into this debate to justify her stance.

Turning to the points of Mr Girvan; Paul rightly said that the current postcode system works well. I do not disagree with him. I do not propose to change that. Mr Girvan seems to use a satnav a lot, therefore finding properties would not be problem for him regardless of whether we used a road- or townlands-based system as he and others, like me, who use GPS technology would be directed straight to the property in question.

Mr Girvan referenced property numbers at the bottom of lanes. Maybe he is not aware that it is an offence not to display one's number at the end of one's lane. One is guilty of an offence and liable, on summary conviction, to a fine not exceeding level 2 on the standard scale. Maybe he is already compliant with the law, maybe not. Either way, I have no intention of changing that.

Mr Girvan talked frequently about the Seven Mile road. I would be interested to know whether it is seven miles long or is it like most other roads that have no relation to the local community. I would hazard a guess that it is not seven miles long and takes its name like other roads where they just pick a random thing off the top of their heads and call the road that.

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

**Mr Flanagan:** Very quickly, Paul, aye.

**Mr Girvan:** It is actually called the Seven Mile Straight but it is longer than seven miles. There is a seven-mile straight part of that road and that is why it is called the Seven Mile Straight but the road is longer than seven miles. *[Laughter.]*

**Mr Flanagan:** I thank the Member for that contribution. I am sure he drives with manners on it.

I was amazed at the tone adopted by some Members. I genuinely cannot understand Mr Girvan claiming that some people are engaged in a cultural war here. People like Jim Shannon called for the greater promotion of townlands. Is Mr Girvan alleging that Jim Shannon is engaged in a cultural war? I do not think that Jim would be that happy about that. *[Laughter.]*

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

**Mr Flanagan:** No, I won't, Paul.

Mr Girvan uses language like cultural war when we are talking about something that is shared between all of us. It is something that is shared between all the communities on this island, including the Orange Order. He does himself no favours when he uses rhetoric like that. It has absolutely no foundation in reality.

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

**Mr Flanagan:** Very quickly, Paul.

**Mr Girvan:** I thank the Member for giving way. I used the term because a number of the townlands have been anglicized. Unfortunately, we know the way that has ended up, with street names being turned into Irish all over the place. You see street names that have Irish names on them, and Mr Bradley said that he would be keen for Irish names to be used as opposed to the anglicized names.

**Mr Flanagan:** I thank the Member for his contribution. I agree with Mr Bradley: I would love to see the

reintroduction of Irish as our native language but if the Member reads the Bill, that is not what we are debating. We are debating the reintroduction of townlands. The use of the Irish language is not contained in the Bill. I deliberately left it out, hoping that nobody would go on a random tangent as the Member did. Unfortunately, it is hard to hold people back.

One of Mr Girvan's final comments was that GPS systems do not recognise townlands. He is wrong, but if he were right, surely that demonstrates the need for this change to be made.

I think that we have perhaps debated this issue long enough for today. I hope that this is not the final debate on the matter. Each of us knows where the other stands on the issue, and we can now put it to a vote. I hope that Members will support the Bill and allow it to progress to Committee Stage. I thank Members for their contributions to the debate, and I commend the Bill to the House.

*Question put.*

*The Assembly divided:*

*Ayes 37; Noes 37.*

## AYES

*Mr Agnew, Mr Boylan, Ms Boyle, Mr D Bradley, Mrs Cochrane, Mr Dickson, Mr Durkan, Ms Fearon, Mr Flanagan, Ms Hanna, 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, Ms McCorley, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Mr Murphy, Ms Ni Chuilin, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.*

*Tellers for the Ayes: Mr Boylan and Mr Flanagan.*

## NOES

*Mr Allen, Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mrs Overend, Mr Poots, Mr Ross, Mr Storey, Ms Sugden, Mr Weir.*

*Tellers for the Noes: Mr Craig and Mr McQuillan.*

*Question accordingly negatived.*

**Mr Deputy Speaker (Mr Beggs):** The Second Stage of the Local Government (Numbers and Addresses of Buildings in Townlands) Bill is not agreed; the Bill falls.

*Motion made:*

*That the Assembly do now adjourn. —*  
*[Mr Deputy Speaker (Mr Beggs).]*

## Adjournment

**Mr Deputy Speaker (Mr Beggs):** As was announced before Question Time, today's Adjournment debate will not take place.

*Adjourned at 4.38 pm.*



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# Northern Ireland Assembly

Wednesday 18 November 2015

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

*Members observed two minutes' silence.*

## Ministerial Statement

### November Monitoring Round: 2015-16

**Mrs Foster (The Minister of Finance and Personnel):**

Thank you for the opportunity, Mr Speaker, to update the Assembly on the outcome of the November monitoring round. As Members will be aware, this is the first full Executive public expenditure monitoring round this year, with the planned June and October rounds not having taken place owing to the failure to implement the Stormont House Agreement and deal with welfare reform.

Following yesterday's agreement, 'A Fresh Start: The Stormont Agreement and Implementation Plan', I am now in a position to deliver a 2015-16 in-year monitoring round on the basis that the Stormont House Agreement will be implemented in full and welfare reform introduced in a manner that is tailored to meet the specific needs of the people of Northern Ireland.

Agreement to the budgetary flexibilities negotiated in the Stormont House Agreement has provided the certainty needed for the Executive to agree an in-year monitoring position aimed at addressing the outstanding issues facing departmental budgets in this year. I always said that failing to deal with welfare reform was having a devastating impact on this year's Budget. I had to write to Executive colleagues requesting that no further expenditure be made on discretionary programmes. All Departments have had to make difficult decisions, and we have seen the impact that that has had on the services that they deliver, whether in our schools, health systems or our ability to cut the grass at the sides of the roads. I am pleased to say that, as a result of yesterday's agreement, we are able to prioritise spending for our health system, the roads and the education system.

Before I go into the detail of the monitoring round, it is worth pointing out that the focus continues to be on non-ring-fenced resource items, which I will hereafter simply refer to as resource expenditure or resource departmental expenditure limit (DEL). The Executive still monitor the ring-fenced resource and administration expenditure positions, and those are included in the tables attached to the statement.

The key issue for the Executive in strategic financial management in this financial year will be managing the overall position to allow the Executive to live within Her Majesty's Treasury's control totals for the 2015-16 year, whilst ensuring that any underspend falls within Budget exchange limits of 0.6% of resource DEL and 1.5% of capital DEL.

As Members will be aware, the Budget for 2015-16 was predicated on the financial package that was negotiated under the Stormont House Agreement. Had the Stormont House Agreement fallen, the Executive would have lost the flexibility to repay the £114 million cost of not implementing welfare reform and the £100 million reserve claim in 2014-15 from asset sales and capital budgets, which would have created a significant resource DEL pressure. I am pleased that, as a result of the recent intensive political discussions, the budgetary flexibilities that were agreed last year at Stormont House will stand.

The starting point for this monitoring round is the June monitoring technical exercise, which was previously agreed by the Executive and notified to the Assembly, and which concluded with an overcommitment on resource DEL of £1.7 million, with £10.3 million of capital DEL unallocated. Following the June monitoring technical exercise, the First Minister and deputy First Minister agreed in September to an allocation of £13.3 million in capital DEL to DCAL through the urgent procedure mechanism to facilitate the progression of the regional stadiums programme. That resulted in a small overcommitment of £3 million in respect of capital DEL.

Before detailing a number of adjustments to centrally held items, I would like to update members on the public sector transformation fund. Members will recall that, as part of the Stormont House Agreement, the Executive agreed a comprehensive programme of public sector restructuring and reform. One of the specific measures included the flexibility to use up to £700 million of borrowing under the reinvestment and reform initiative to fund voluntary exit schemes across the public sector. The public sector transformation fund is to be available over four years, with £200 million in 2015-16, £200 million in 2016-17, £200 million in 2017-18 and £100 million in 2018-19. Those annual limits are firmly set by Her Majesty's Treasury with no across-year flexibility. Not all of the fund may be required, as drawdown may be dependent upon demand by public-sector organisations. The public sector restructuring steering group, which is chaired by the head of the Civil Service, was created by the Executive to oversee the process for allocating funding.

In recognition of the significant savings arising from the voluntary exit scheme, the Secretary of State agreed in September that the Executive could access that funding for 2015-16. The various schemes have been proceeding on that basis. However, the November monitoring round provides the first opportunity to provide details of allocations in individual schemes. Full details are set out in the tables that accompany the statement.

Returning to the issue of the resources available to the Executive in the November monitoring round, a number of adjustments were made to centrally held items, which impacted on the overall financial position in this monitoring round. I would like to highlight these items next.

The Budget exchange scheme allows the Executive to carry forward and draw down end-of-year underspends up to a limit that is agreed with Her Majesty's Treasury. The 2014-15 provisional out-turn position indicated that we would draw down £47.9 million of resource DEL and £10.7 million of capital DEL in this financial year under the Budget exchange scheme. That assumption was factored into the June monitoring technical exercise. However, the Budget exchange scheme requires the devolved Administrations to adjust drawdown to the final out-turn position, which is known only once departmental accounts have been finalised. Due to the timing of this monitoring round, the final out-turn position has yet to be confirmed with Her Majesty's Treasury. However, the latest position indicates that there was an additional resource DEL underspend in 2014-15 at block level of £0.4 million, whilst, on capital DEL, the underspend was £2.4 million less than was declared at the provisional out-turn. The additional resource DEL will now be available in this monitoring round, whilst the reduction in the capital DEL underspend will create a pressure to be addressed in this round. Crucially, the level of underspend that is anticipated remains within the overall Budget exchange scheme limits and the position remains that no resources have been lost to Northern Ireland.

A reduction in the level of EU match funding that is required by Departments for EU Peace and INTERREG programmes has resulted in £8 million of resource DEL and £1.1 million of capital DEL being surrendered from the centrally held budget. This funding becomes available for allocation in this round.

The Chancellor of the Exchequer's summer Budget resulted in Barnett consequentials totalling £2.6 million resource DEL and £0.1 million capital DEL. Whilst the amount has yet to be confirmed by HM Treasury, the council tax freeze has resulted in a Barnett consequential that is expected to be in the region of £5.5 million, which can also be taken into account in this round.

Colleagues will recall that the Executive set a capital receipts target of £50 million this year. The June monitoring technical exercise included adjustments totalling £21.8 million to departmental budgets, leaving a target of £28.2 million to be realised over the remainder of this year. The latest update from the asset management unit indicates that a further £3.3 million relating to the sale of various surplus assets can now be factored into the DRD budget in this monitoring round. This, combined with a £0.8 million adjustment to the amount allocated to DFP in the June monitoring technical exercise, means that there remains £25.7 million of the £50 million target unrealised. Whilst the asset management unit has identified a number of other opportunities to generate additional capital income, there is significant risk attached to their delivery in the current financial year. The Executive have therefore agreed that the £25.7 million should be taken into account as a capital DEL pressure in this monitoring round.

Members will recall that the Executive agreed to set aside £26.9 million resource DEL in 2015-16 for measures to alleviate the worst impacts of welfare reform. Delay in

implementing welfare reform means that this funding is no longer required for the purpose intended in 2015-16 and is now available for reallocation in this monitoring round.

Members will recall from the 2013-14 January monitoring round that, as part of an agreement to provide £35 million of ring-fenced financial transactions capital funding to the Ulster University for its greater Belfast development, the university agreed to return £7 million to the Executive from its accumulated reserves, with £3.5 million to be returned in this year and a further £3.5 million in 2016-17. The Executive have now received the £3.5 million relating to this year, and that can be made available for reallocation in this round.

There was also a small pressure of £0.6 million resource DEL relating to the salaries of individuals working in statutory bodies that must be taken into account now, whilst OFMDM has advised that £7.2 million of capital DEL relating to the social investment fund will not be required in this year and therefore becomes available for reallocation by the Executive.

As a result of these changes, we start the monitoring round with £44.6 million of resource DEL available and an overcommitment of £22.7 million on capital DEL. That is before the departmental reduced requirements, reclassifications and internal reallocations are taken into account.

Departments declared reduced requirements in this monitoring round of £33 million in resource expenditure and £20.4 million in capital investment. Full details are included in the tables provided. Members will note that the reduced requirements declared by the Department for Employment and Learning include £4.5 million relating to the FE college end-year flexibility (EYF) scheme. This will be added to the 2015-16 opening stock of £14.3 million, meaning a stock of £18.8 million is carried forward into 2016-17.

Under the terms of the economic pact, the UK Government agreed that the Executive could access an additional £100 million of reinvestment and reform initiative (RRI) borrowing, spread over three years, for shared education and housing schemes. Allocations in this year totalled £26.8 million, comprising £11.8 million to DE, £5 million to DEL and £10 million to DSD. Departments have declared reduced requirements relating to schemes funded through this initiative totalling £15.7 million in this monitoring round. Full details of these reduced requirements are in the accompanying tables. As this funding is ring-fenced for specific shared education and housing schemes, it cannot be reallocated by the Executive in 2015-16.

It is good practice that Departments seek to manage any emerging pressures internally before bringing forward bids for additional allocations. Whilst the public expenditure control framework allows Departments scope to undertake many such movements on a unilateral basis, movements across spending areas in excess of the de minimis threshold are subject to Executive approval.

In some instances, Departments have also sought permission to move allocations across spending areas to facilitate the transfer of responsibility for a particular function from one business area to another. The internal reallocations agreed by the Executive in this monitoring round are included in the tables for information.

**10.45 am**

The Executive also agreed a number of reclassifications between the resource and capital categories in this round. There were also reclassifications between the ring-fenced and non-ring-fenced resource DEL categories. Again, those reclassifications are shown in the tables.

All the issues that I have outlined impacted on the amount of resource available to the Executive in this monitoring round. Taking into account the starting position, the reduced requirements and reclassifications resulted in £77.4 million on resource DEL being available to the Executive and an overcommitment of £2.1 million on capital DEL. Before turning to the bids submitted by Departments in the monitoring round, I will update Members on ring-fenced financial transactions capital (FTC) and the Executive's central funds.

The Executive's Budget for 2015-16 included ring-fenced financial transactions capital allocations of £129 million this year, including £40.9 million set aside for the Northern Ireland investment fund. Following a number of further allocations to Departments in the June monitoring technical exercise from funding held for the Northern Ireland investment fund, we enter the November monitoring round with £11.7 million set aside for that purpose. Departments have declared a number of reduced requirements on ring-fenced financial transactions capital, totalling £61.7 million. Details are provided in the tables.

My officials continue to work towards establishing a Northern Ireland investment fund. Progress to date includes the conclusion of the Deloitte feasibility study and further market testing to determine the potential structure and scope of the fund. However, a significant amount of technically complex work remains to be done before the fund can become operational, and DFP officials continue to engage with the European Investment Bank on those work streams. The outstanding work includes, among other things, development of an investment strategy for the fund; determination of the appropriate governance structure; development of the fund manager procurement strategy; and the fund manager procurement process. The latest discussions with the European Investment Bank suggest that that outstanding work is expected to take at least nine to 12 months to complete. Therefore, the proposed fund will not be able to avail itself of financial transactions capital until the next financial year. As a consequence, the £11.7 million held for that purpose is now available for reallocation.

As a result, the reduced requirements declared in this round, combined with funding held for the Northern Ireland investment fund not being required, mean that the Executive now have £73.4 million of ring-fenced financial transactions capital available for reallocation in this round. Departments have submitted bids in this monitoring round for ring-fenced financial transactions capital of £85 million, including £75 million from DSD for co-ownership housing and £10 million from DEL for the Queen's University school of law and integrated student hub. Details are provided in the tables.

The Executive have agreed allocations of ring-fenced financial transactions capital in this round totalling £73.4 million, including £63.4 million to DSD for co-ownership housing and £10 million to OFMDFM for the Queen's University school of law and integrated student hub.

Colleagues will recall from previous monitoring rounds that DEL does not have the legislative authority to issue loans to private-sector entities. The Executive have agreed that, consistent with previous FTC allocations to DEL, the allocation to Queen's University in this monitoring round should be processed by the Strategic Investment Board (SIB). Therefore, the allocation is made to OFMDFM. Taking account of that allocation, the Executive exit the November monitoring round with no ring-fenced financial transactions capital unallocated.

Members will recall that, in Budget 2015-16, the Executive set aside £11 million resource DEL and £15 million capital DEL for the social investment fund in this financial year. In addition, the Executive set aside £3 million resource DEL for this year to fund childcare strategy initiatives. A number of allocations were agreed in the June monitoring technical exercise, which concluded with £1 million resource DEL and £7.5 million capital DEL on the social investment fund, and £1.6 million resource DEL relating to the childcare strategy remaining unallocated.

While no funding was specifically set aside for the Delivering Social Change programme or the Atlantic Philanthropies programme in the Budget 2015-16, the Executive, at the request of OFMDFM, have agreed to flexibility in this monitoring round to fund them from money set aside for the social investment fund and the childcare strategy.

OFMDFM has confirmed allocations to Departments in this monitoring round totalling £2.6 million of resource DEL. That includes £1 million to the Department of Health, £1 million to DE and £0.6 million to OFMDFM, with £0.3 million capital DEL also being transferred to OFMDFM. Those allocations will fund a combination of Delivering Social Change, the social investment fund and Atlantic Philanthropies programmes. Those transfers mean that there is no resource DEL and £7.2 million of capital DEL remaining in the social investment fund for 2015-16. That has been returned to the Executive for reallocation in this round. No resource DEL funding is available under the childcare fund following this monitoring round.

Budget 2015-16 set aside £10 million of resource DEL for the Together: Building a United Community programme. Following a number of allocations agreed in the June monitoring technical exercise, the November monitoring round commences with £1.9 million of resource DEL unallocated from the Together: Building a United Community fund. That has been supplemented by funding returned from a number of programmes totalling £0.2 million, making £2.1 million available for allocation in this round. OFMDFM has confirmed allocations totalling £2.1 million under the Together: Building a United Community programme to be processed in this round, including £1.8 million to OFMDFM and £0.3 million to DCAL. Those transfers mean that there is no resource DEL remaining in that fund.

Against the available resources, Departments submitted bids amounting to £91.4 million in respect of resource DEL and £59.9 million in respect of capital DEL. Those bids are detailed in the tables.

Members will be aware that I have warned about the significant financial pressures facing the Executive's Budget this year. In view of that, I wrote to Executive colleagues early in this financial year, advising them to

halt expenditure on discretionary programmes. That action taken by Ministers to contain spend in the year, combined with access to the budgetary flexibilities detailed in the Stormont House Agreement and the UK Government's agreement to access the funding necessary to progress the public-sector voluntary exit scheme, has meant the pressures facing the Executive's Budget this year have been contained. That has been reflected in the level of resources available for allocation in this monitoring round and the level of bids submitted by Departments. I am pleased that Ministers have taken action to contain spend on lower priority programmes as that now provides the Executive with an opportunity to make a number of allocations in line with their priorities.

The Executive have agreed allocations in this monitoring round totalling £87.4 million of resource DEL and £13.7 million of capital DEL. Full details of the allocations are contained in the tables, so I will only highlight some of the main ones. There is a £47.6 million allocation of resource DEL to the Department of Health to address a number of the significant pressures facing the health service relating to elective care and diagnostics, psychological therapies and unscheduled care and other services. There is a £19.1 million allocation of resource DEL to DRD for roads maintenance, concessionary fares and community transport plus £5 million of capital DEL for structural maintenance of roads. There is an allocation of £15 million of resource DEL to the Department of Education for drawdown of school surpluses, estate management and special educational needs. There is also an allocation of £3.9 million of resource DEL allocated to DARD for TB compensation costs.

I would also like to update Members on the schools end-year flexibility scheme, which allows schools to either draw down or increase their reserves. The stock of school reserves carried forward from 2014-15 amounted to £41.7 million. The Department of Education has been allocated the £5 million requested in this monitoring round from that stock. As a consequence, the schools' EYF stock carried into 2016-17 is £36.7 million.

Following the allocations detailed, the Executive exited this monitoring round with a £10 million overcommitment in respect of resource DEL and £15.8 million on capital DEL. In addition, £24.4 million of resource DEL ring-fenced for depreciation and impairments remains unallocated. However, due to the ring-fenced nature of that fund, it is not available for reallocation by the Executive.

The uncertainties relating to the Executive's budgetary position in 2015-16 have been clarified through the talks process, and Ministers have taken action to contain expenditure in this year. As a consequence, the Executive have, through this monitoring round, been able to address some high-priority departmental pressures, not least in the health service and ensuring that our roads network remains fit for purpose. I believe that the Executive are now on course to live within their 2015-16 spending controls. However, I will continue to closely monitor the position through the remainder of this year.

The Executive have agreed that, unless circumstances merit a further monitoring round, this will be the final Executive monitoring round in 2015-16. However, it has been agreed that a technical monitoring round should take place in early January without recourse to the Executive. That will provide Departments with an opportunity to adjust

their budgets within Executive agreed allocations ahead of the spring Supplementary Estimates process. That exercise, as a one-off, will provide Departments, subject to DFP approval, with flexibility to process proactive reductions and internal reallocations without recourse to the Executive, providing greater flexibility to manage emerging pressures over the course of this year.

It is now critical that the Executive turn their attention to agreeing a Budget for 2016-17. The Chancellor of the Exchequer will announce the outcome of the UK Government's spending review on 25 November. That will detail the Executive's settlement for the coming years. Following that, I will bring a paper to the Executive on the Budget before Christmas. The Executive have previously agreed that the Budget should be developed based on the planned new nine-Department structure. It is also my preference that we agree a one-year Budget, thus providing the new incoming Executive, following next year's Assembly elections, with an opportunity to develop a longer-term Budget, in line with their Programme for Government. However, I recognise that, in relation to a number of large capital infrastructure projects, it may be necessary to provide some certainty on longer-term Budget allocations through the upcoming Budget process.

With that, I commend the statement to the Assembly.

**Some Members:** Hear, hear.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. I start by congratulating the Minister and all those involved in reaching the agreement, particularly for securing protections for welfare claimants and also help for families on tax credits. That is something that many other jurisdictions do not have. I am sure that many families in a similar situation in places like England would greatly appreciate a similar support mechanism being put in place.

The Minister made reference to longer-term Budgets, and we need to start to look towards 2016-2021. Does the Minister agree that we need to ensure that we get corporation tax right? In the event of a corporation tax reduction, as outlined in the agreement, what efforts will the Minister undertake to ensure that VAT and other revenues generated by a corporation tax reduction, which will go to London, will come back to the Executive, where they rightly belong?

**Mrs Foster:** I thank the Member for his comments and, indeed, his warm welcome for the agreement that was reached yesterday. He is, of course, right to point out that we will have a very generous welfare scheme here within the United Kingdom and that we will support hard-working families who have been targeted in relation to tax-credit cuts. That was something that we felt very strongly about on this side of the House, as he knows.

In relation to corporation tax, I am of course only too delighted that we have been able to set the date and the rate for April 2018 at 12.5%. That will allow Invest Northern Ireland and, indeed, Ministers to now go out across the globe and sell Northern Ireland as a good place to do business, as it always has been, but it now opens more doors to the companies that, heretofore, have not been open to us. So, this gives us a tremendous tool to go out and look for more foreign direct investment.



**11.00 am**

As he will know, because the main rate of corporation tax in the United Kingdom has fallen, the cost of corporation tax being cut here in Northern Ireland will also have fallen, and therefore the cost to the block grant will not be as large as it was when the main rate was higher. We are continuing to speak with Treasury about the cost of corporation tax. The full cost, of course, does not come out until year 3. Until then, it is a graduated cut to our block grant. The Office for Budget Responsibility (OBR) has indicated that the resource DEL will start to grow again by year 3, 2020-21. That is the year in which our resource budget will start to grow again, so that is to be welcomed.

Secondary benefits is an issue that we continue to talk to Treasury about. He is right to say that, if we are growing the economy here in Northern Ireland, we should take some benefit from that in the receipts that come. That is something that we will continue to talk to Treasury about.

**Mr Middleton:** I thank the Minister for the many welcome announcements in her statement. We are all aware of the pressures that have faced the health sector over the last number of months. The announcement that it is to receive an additional £47 million is really good news. Can the Minister outline what impact this will have on the health service?

**Mrs Foster:** I must say that all my colleagues across the parties acknowledged that there was a need to deal with the pressures in the Health Department. It was at the top of our priorities when we went to look at the allocations. So, £40 million of the allocation will go to elective care and diagnostics, £1.6 million will go to psychological therapies and £6 million will go to unscheduled care and other services. I know that my colleague the Minister of Health has been working very hard to make sure that the money that has been allocated to the Department of Health will make a real impact on the lives of real people. That is something that the House should very much welcome.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. I thank the Minister for her statement. I, too, welcome the £47.6 million for the health service. The Minister mentioned £6 million to be invested in unscheduled care and other services. I would like to ask the Minister this: will this investment ensure that hospital emergency departments, like the emergency department in Daisy Hill hospital in Newry, have the staff to operate on a 24-hour basis and free from the threat of closure or partial closure? That is a way in which that investment would, as the Minister said, affect the lives of real people.

**Mrs Foster:** I welcome his congratulations on the amount of money that is going to the Department of Health. Some £4 million of the £6 million for unscheduled care and other services will be going to deal with winter pressures, which we know occur every year and, therefore, need to plan for. In all, the money that has been allocated to the Department of Health will mean that we will be able to put in place 40,000 assessments and around 15,000 operations and procedures. That is a tremendously good news story for people right across Northern Ireland. Regardless of where you live or access your hospital care, we are now going to be able to make those available to people. If the Member has very specific issues about hospitals in his constituency, I suggest that he raises those with the Minister of Health.

**Mr Cree:** I thank the Minister for her statement. She must be pleased, as I am, that it is not as bad as was anticipated. There are two points, Minister. The first is on the November monitoring outcome. You referred to £24.4 million of resource DEL not being capable of being reallocated. Does that mean that it will have to be returned? Is she aware that DCAL had an under-commitment of some £600,000 for depreciation for the last year brought forward? Maybe she will say a few words about where the financial transactions capital is sitting at the moment.

**Mrs Foster:** I will take the last point first. As I indicated, all the financial transactions capital has been allocated. The larger amount of it has been allocated to the Department for Social Development for co-ownership housing, although it could have taken even more — £10 million more, I think — if I had had the money available to me in the financial transactions capital. Ten million pounds goes to Queen's University for a new school of law and an integrated student hub. So, absolutely no money from the financial transactions capital is unallocated. I am pleased about that, given that quite a bit of financial transactions capital had come back from Departments into the centre.

In terms of the money that cannot be reallocated, that is money that is ring-fenced to deal with non-cash pressures relating to depreciation and impairments. It is very strictly monitored by Her Majesty's Treasury. There are no unmet ring-fenced pressures, and the unallocated £24.4 million cannot be used or reallocated to the Executive to meet pressures outside the ring fence. That much is very clear.

I am sure that the Ulster Unionist Party will want to join me in congratulating the First Minister and the deputy First Minister on the financial package that they achieved under the Stormont Agreement, because, of course, there is absolutely no new borrowing in that package. It is all real money. Therefore I know that the Ulster Unionist Party will welcome that, given that it had indicated that there was going to be £0.5 billion of borrowing. Of course, that is not the case. It is a good day, because we can move ahead with real money in the package that was announced yesterday.

**Mrs Cochrane:** I thank the Minister for her statement. In previous years, moneys have traditionally bridged financial gaps in health funding. We welcome the addition of the money announced today to Health. Has the Minister any concerns about trusts' capacity to spend that money this late in the financial year, as, obviously, we want all of it to be used to make a real difference to patients?

**Mrs Foster:** I thank the Member for her question. Indeed, the Health Minister, along with me and others, has been working on a plan to deal with waiting lists for some months, despite what others may have been saying. We have been planning and preparing in the hope of achieving what we have achieved today — the allocation of £47 million to the Department of Health. We will work to ensure that as many people as possible have access to operations and procedures, but we will have to work within the capacity that we have. We will use everything that we can to make sure that we allow as many people as possible to be dealt with in the coming weeks and months, because we realise — it would be wrong of us not to acknowledge — that there have been tremendous pressures on people's lives. People have been told that they will have to wait a very long time for operations and assessment; therefore,

we need to be able to deal with those people as quickly as possible. So, yes, we have been working on a plan. The Minister of Health, along with his officials, has been preparing for this day, and I know that he is very happy that this day has come.

**Lord Morrow:** I thank the Minister for her comprehensive statement. She said that there would be additional funding and money for the Roads Service. How will that assist in the fixing and mending of our roads, not least in Fermanagh and South Tyrone?

**Mrs Foster:** May I join the Member in urging the Minister for Regional Development to make sure that she has due regard to the very important constituency of Fermanagh and South Tyrone when she comes to deal with her budget? Unfortunately, the capital DEL position remains constrained. Members will see that from the figures that I outlined today.

It has limited the capacity for the Executive to make significant allocations in relation to that area. However, we have agreed allocations of £5 million in capital DEL. We hope that that will be helpful not only to road users and those of us who travel long distances every day but to the construction industry. That industry has had huge pressure on it over the past couple of years. We hope that that money will give some help to them. We have also been able to allocate £16.5 million, a not insubstantial amount of money, for roads maintenance. I am sure that the Department will be happy to receive that; I know that the Minister certainly is. Again, that will hopefully provide a small boost. We realise that it is a small boost, but hopefully it is an indication of things to come.

**Mr Ó Muilleoir:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom comhghairdeas a dhéanamh leis an Aire agus leis na páirtithe uile ar éirigh leo teacht ar an chomhréiteach seo. I want to add my congratulations to those parties and my colleagues who put together this good deal. I hope that it is — I am confident that it will be — a fresh start.

The Minister mentioned the Chancellor's next move on 25 November. I have no doubt that he is still wedded to his austerity ideology, but I think that we have made a great job of trying to force back that assault, especially on the less well off.

I want to ask about the very good news for Queen's University. I was to meet the vice chancellor at 3.00 pm but had to cancel. He is pleased that he is getting a £10 million cheque. It will do something to get him over the disappointment of missing the meeting. That is good news.

I want to ask a broader question about investment and investor sentiment because last week I met Dan Sten Olsson, the chief executive officer of Stena Line, which will bring two new ferries into Belfast in 2018-19. The big message from him, Minister, was to build confidence, create stability and show that you are united around creating jobs for the future and a better society for all. Does the Minister believe that today's statement and last night's agreement will build the type of confidence that we need in this region and society?

**Mrs Foster:** I thank the Member for his commentary and, indeed, his question on these issues. I have listened very carefully to some of the naysayers on the agreement. They cannot take away from the fact that there is no doubt that

the agreement that was reached yesterday provides us with financial stability and a fresh start.

He is right to say that we have moved to support not only welfare recipients but hard-working families who otherwise would have been hit by the reduction in tax credits. Whilst the Chancellor may have been pushed back somewhat by the noble lords in the House of Lords, I would say that he will continue to look for that large amount of money — £4.4 billion. Whilst, when he comes to make his comprehensive spending review statement on 25 November, it may not be as hard and fast on tax credits, there will be other consequences in relation to the issue.

We were right to support working families. Likewise, we are right to give hope for the economy here in Northern Ireland. I very strongly believe that the reduction in corporation tax gives hope for businesses here and will allow them to expand and grow in a way that they would not have been able to otherwise and will attract foreign direct investment to Northern Ireland. There is support for working families, hope for the economy and, of course, stability, which we all know will bring further investment in Northern Ireland.

**Mr Weir:** I will try to keep my question a bit shorter than the previous one. I thank the Minister for her statement. It is notable that those who, not that long ago, were deriding this budgetary process as a "fantasy Budget" are, today, faced with the realities of additional resources for health, education and DRD. Specifically on the issue of education, can the Minister outline how the additional funding for education will maintain and improve schools, and not just in the constituency of North Down?

**Mrs Foster:** Well done for getting North Down mentioned. As I have indicated, of the £15 million for the Department of Education, £5 million will relate to the drawdown of school surpluses; £5 million to the education and schools estate management; and £5 million to special educational needs. I am sure that everyone in the House will welcome that extra money for special educational needs. I know that, at a constituency level, there have been growing pressures in relation to accessing help for young people who need it in schools. Therefore, I warmly welcome — I am sure the House will warmly welcome — the £5 million for special educational needs, and I hope that it will make a real difference to our young people who, currently, are struggling without that extra help that they would otherwise have.

#### 11.15 am

**Mr Speaker:** Before I call the next contributor, I have a very long list of Members who wish to speak. The questions are reasonably short but the commentaries are unreasonably long. I just want to draw that to Members' attention.

**Ms Ruane:** Go raibh maith agat. I will not mention South Down in my question, although I hope that it gets some resources. Gabhaim buíochas leis an Aire as a ráiteas. I welcome the statement, which is very important, and I welcome the end-year flexibility for schools. I am sure that the improvements to the schools estate, as was mentioned, will help our construction industry.

The Minister mentioned children with special educational needs, and I share her concern about that. Will she outline what difference the additional resources will make to our special educational needs children?

**Mrs Foster:** As I just mentioned — I am sure that I am not alone in this — recently a number of parents have been very upset about the fact that they have not been able to access assistance for their young people. They have had the assessment carried out and they know that there is a need to provide assistance, but they have not been able to provide that because the money has not been available. I really hope that this extra £5 million will make a difference to those individuals. It will allow the children to learn in a supported way. It is an issue that many of us across the House have been lobbied on, and I am delighted that we have been able to help today.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for her statement. Specifically about allocations of funding to job creation and support for it, it has been proven, through facts provided to the Enterprise Committee, that investment in collaborative projects through InterTradelreland and with its support has helped in the drawdown of EU funding for those projects more successfully than would normally be the case. Unfortunately, it appears that InterTradelreland has been targeted for further budget cuts. Does the Minister accept that investment in such projects is of greater benefit in the long term than a simple cut now?

**Mrs Foster:** I do not have the details of the cut to InterTradelreland that he mentions. He is right that when we work in collaboration we are able to draw down more money. That has been shown by a number of case studies in which InterTradelreland has been involved. As he knows, in-year, people have plans for the year ahead and sometimes things come into those plans that mean that they cannot fulfil them in the financial year. It does not mean that the plans are not going to be fulfilled later on. Resources have been surrendered from the centrally held EU budget; that was in cases where plans had been made but, unfortunately, have not been able to be completed in this year. It does not mean that, in the next year, they will not be completed. That money has been surrendered, and it allows us to reallocate, which is absolutely the right thing to do.

**Mrs Dobson:** I am sure that many of the 373,000 local people on the waiting lists will join me in welcoming these much-needed additional funds for our health service. Will these additional funds enable the pressures that many domiciliary care providers find themselves under to be lifted? Trusts have often been far too quick to see this area as a soft target for cuts.

**Mrs Foster:** Of course, each trust has to decide where it believes funding is best directed to. I share her concern about care packages, but if we are going to release beds in hospitals, people need to be able to access care packages to allow them to leave hospitals. Often, as is the case in the south-west in any event, I have found that there are not the staff and the care packages available to allow people to come out of hospital.

I am sure that the Health Minister will agree with me when I say that I hope that there is more proactive management of that system in the coming years, because there is no point in having more money available to allow people to have operations and procedures carried out if they then cannot come out of hospital after those procedures have taken place. Obviously, it is about dealing with the whole spectrum of care not just in hospital but outside hospital.

**Mr Douglas:** I thank the Minister for her statement, particularly in relation to the additional financial transactions capital. Can the Minister outline to the House how this will allow housing associations to build much-needed affordable homes across Northern Ireland?

**Mrs Foster:** I am delighted that the Co-ownership Housing Association came forward, through the Department for Social Development, with such a substantial bid for financial transactions capital. I think that it will make a large difference to the housing situation across Northern Ireland, and it takes a huge pressure off me, frankly, in relation to the use of financial transactions capital. As we have said, £10 million is going to Queen's, but the rest of that money will go to the Northern Ireland Co-ownership Housing Association, and it has proven to be a very good catalyst for dealing with the lack of social housing. I hope that that continues to be the case.

**Ms Maeve McLaughlin:** I thank the Minister for her statement, and I very much welcome the additional investment into the Department of Health, particularly the £40 million for elective care. Specifically in relation to the crisis in our waiting times, what is the Minister's assessment of what that money can do and how much of a shortfall might be left? Also, in going forward, on the protection of the Health budget, coupled with the reform agenda, does the Minister envisage that that protection of Health will be maintained, or is it likely to change?

**Mrs Foster:** On that last issue, I hope that the Executive have shown that we consider Health to be very much a priority Department in the Executive and for Northern Ireland. We have seen, when Health is under pressure, the impact that that has right across the community in Northern Ireland. Ultimately, of course, it will be a matter for the Executive, after discussion, whether Health remains protected, but I am sure — at least, I hope — that the Minister agrees with me that there is scope for reform in the Department of Health and that we will want to see that reform continuing to take place.

As I have indicated, up to 40,000 people will be able to have assessments using the money that has been allocated today, and up to 15,000 operations and procedures will take place. I think that those are large numbers of operations and assessments in addition to what is already being put through the system at present. Under anyone's money, those are large numbers, and I am pleased that the Executive have decided, again, to prioritise the Health Department.

**Mr Dunne:** I, too, thank the Minister for the positive news here today. Does the Minister see real benefits for the construction sector flowing from what we have heard today? It is a sector that has suffered so much in the recent downturn in the economy.

**Mrs Foster:** I do see benefits for the construction industry. Of course, it is not as large as any of us would like. We would like more capital money available to us to be able to give more opportunity to the construction sector, but we have overcommitted with the capital DEL. We do that, and I do not think that that is a significant risk. I think that we will be able to manage that and that it was absolutely right to allocate £5 million capital DEL to DRD. I hope that that will make a difference, and £4 million capital DEL has been allocated to Invest Northern Ireland. Again, we hope that

that will make a difference as well. For the forensic lab and prison estates, £2.7 million capital DEL is allocated.

In my Department, I will continue to work with the construction sector to make sure that we can make procurement of government contracts as easily understood and as accessible as we can. I think that we have made progress on that matter, particularly with the new procurement contract regulations, and we will continue to push ahead with that.

**Mr McCarthy:** Like others, I commend the Minister for her statement this morning. I very much welcome the extra £47.6 million for the health service. However, the Minister may be aware of the request for £98 million in this year's June monitoring round, so that leaves a balance of £51 million. I am disappointed because there is nothing for mental health, learning disabilities or Transforming Your Care, for instance. Can the Minister assure or give some consolation to parents of children with learning disabilities, autism etc that those services will not continue to be the Cinderella of the health service? Simple as that.

**Mrs Foster:** Well, as simple as that is, I can allocate only the money that I have. First, I wish that I had that sort of money. Secondly, we have to be realistic — this relates to Mrs Cochrane's question — about what can be spent between now and the end of the financial year. I am confident that we have allocated an amount that can be spent. I am not sure that, even if I had been allocated £100 million, it could have been spent.

In response to Mr McCarthy's question about special educational needs and those with learning disabilities, I hope that he welcomes the fact that we have been able to allocate £5 million to schools to help the sort of children whom he refers to. He should recall that it is not just the Department of Health that deals with those children and young people. We should all be concerned about it, and that is why, for me, the Department of Education's allocation is an important one.

**Mr I McCrea:** I thank the Minister for her statement today. Instead of Mike Nesbitt apologising for the singing of our national anthem, maybe he will apologise for getting his financial predictions wrong for this Budget.

Will the Minister outline why she has cancelled January monitoring? Will that mean no further allocations in this financial year?

**Mrs Foster:** As I said, we are now in a very tight situation because of the turnaround for next year's Budget. We have the comprehensive spending review next week, on 25 November. We then have a very short time to set the Budget for 2016-17. I believe that we have addressed the highest priority pressures in this monitoring round. I do not currently envisage a huge amount of money becoming available to warrant another full monitoring round in this year. However, if money becomes available, I will keep that position under review. We have agreed that there will be a technical monitoring round in January, so, if any issue arises in the interim, we will be able to deal with that there.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. I, too, welcome the statement that the Minister has brought to the House today. Looking ahead at the wider strategic and economic issues, I welcome the proposal in 'A Fresh Start' for an independent fiscal council, which appears to pick up on a Finance and Personnel

Committee recommendation. In addition to the role outlined in the document at section D, paragraph 4.1, what potential is there for an independent council also to make recommendations on revenues and savings to inform future in-year monitoring decisions?

**Mrs Foster:** I, too, welcome the proposal for an independent fiscal council. I think that it will give us a fresh and new look at how we approach financial settlements here. Of course, we have already asked the OECD to report on what is happening here, and I hope to have that report towards the end of this month or at the beginning of next month. That will give us a starting point for our financial processes, so I welcome it. If we recognise that we do not have a monopoly on the wisdom in how we deal with things, we should not be afraid to listen to outside, independent views on how we do things.

**Mr A Maginness:** I thank the Minister for her exhaustive, perhaps even exhausting statement, this morning. In relation to the allocation of £63.4 million to DSD for the Co-ownership Housing Association, is she convinced that there is the capacity to dispose of that funding in co-ownership housing, given that we have only four months, effectively, until the end of the financial year?

In a sense, it does not really help the construction industry because it is for the purchase and recycling of homes presently built, rather than new builds.

**11.30 am**

**Mrs Foster:** I thank the Member for his question. If I am not exhausted by now after the talks process, I will never be exhausted. Financial transactions capital is different from other capital funding, in so far as it only has to be allocated in this financial year; it does not have to be spent in this financial year. Therefore, I am confident that it will be dealt with. It takes it off the balance sheet, and that is why it is a very useful way of dealing with the issue. So, they had asked for in and around £10 million more, but that was all that we had to allocate. So, we have allocated it now, and, therefore, it is gone. It is off the sheet, and it does not have to be spent by the end of this year.

**Mrs Overend:** I welcome the opportunity to ask a question on this issue. I welcome the additional departmental expenditure limit funding that has been allocated to the Department of Education. It is very much needed, especially the money that is going to special educational needs, because it is an issue that has been raised at constituency level time and again. Will the Minister clarify whether the £500 million that the Treasury committed in the Stormont House Agreement to fund shared and integrated projects still stands? I understand that the Executive had the flexibility to spend this money on things that are not necessarily educational but are relevant to a shared future. Will the Minister clarify that issue?

**Mrs Foster:** Yes, the £500 million that was negotiated last year is still there, as are all the flexibilities and money allocated from last December. What we have been able to achieve in the current negotiations is more flexibility in relation to that money, but, principally, the subject matter is still shared education and other ways of moving Northern Ireland forward in a shared and integrated way. So, I hope that the party that she represents will welcome that; and it will allow us to move money around for a better future for everyone.



**Mr Lyons:** I also thank the Minister for her statement and welcome the extra money that will be made available for health, roads and education. It is very clear that this monitoring round and the priorities in it reflect the priorities of our constituents, and that is to be welcomed. Can the Minister give us some more detail on why the pressures facing the Executive's Budget are now less than what the Minister indicated earlier this year?

**Mrs Foster:** We all remember back to June of this year, when a number of Members took great delight in telling me that I was setting a "fantasy Budget". It was not a phrase that I was particularly fond of, I have to say, and I hope that those who doubted the good efforts of us all will now reflect on what they had to say. Back then, we had the pressures of not having access to the voluntary exit scheme money, and, as well as not having access to that money, we could not benefit from the in-year savings that we have now been able to achieve. We had the £114 million of welfare fines and all the consequences relating to that, and, because of the Stormont House Agreement, we now have all the flexibilities that the Budget was predicated on, and more, because, as you know, Mr Speaker, we have been able to achieve more money for the Executive through the Stormont House Agreement and Implementation Plan. So, that is good news for Northern Ireland, and it just shows what hard work, determination and taking responsibility can do.

**Mr F McCann:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement to the House this morning and, especially, for the measures in the agreement that will help those most in need in society. Sammy Douglas touched on part of the statement, and there was a debate last week around the November monitoring round. There were some concerns, and one was about the £1.5 million reduction in the social fund, especially in the month of Christmas, when there is usually a run of people seeking crisis loans, but also the allocation to co-ownership. There is a waiting list of 600 for co-ownership, but, for social housing, there is a waiting list of 40,000, with 20,000 people in housing stress. If the Minister for Social Development brought a similar proposal to increase funding for the building of social housing, would the Finance Minister agree to it? If there is a run at Christmas, would more money be made available for those who need crisis loans to help them over Christmas?

**Mrs Foster:** As I indicated, I can allocate only the money that I have. Indeed, I have overcommitted in resource DEL and capital DEL. However, we have been able to deal with quite a number of bids, as the Member could see from those that were made. I did not receive a bid from DSD in relation to the matters that he raised, and I cannot allocate unless I have a bid. However, as I indicated, if bids come forward and we have money available in January, we will certainly look at those bids.

**Mr Ross:** Table B of the annex to the statement indicates that the PSNI has returned close to £20 million. We know that, thankfully, the PSNI had to police a quieter summer this year than last. However, is there any other reason why the PSNI return is quite so large, and can DFP offer the police any assistance to help them to manage fluctuations in their budget? Are there any additional resources to help to meet the ongoing legal aid pressures?

**Mrs Foster:** Indeed, the police returned nearly £20 million during this exercise. However, in the Department

of Justice, as I am sure the Member is aware, there is quite a large hole because of legal aid pressures. It was felt, therefore, that that money should be used to deal with those pressures. With budget management, I am sure that he will know that one of the benefits of a quiet summer is that we have money available from the Police Service of Northern Ireland. Frankly, I would rather that we had a quiet summer and money to reallocate in October monitoring than the alternative. Whilst DFP stands ready to assist Departments or arm's-length bodies in any way, I am sure that the police would say exactly the same about the situation.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement. First, I welcome the increase for DCAL. As for agriculture, I welcome the TB compensation allocation that has been made to DARD, but does the Minister agree that, in the context of the ongoing work of the TB strategic partnership group on the wildlife issue, the Executive should now review the effectiveness of the compensation scheme that is in place to tackle TB?

**Mrs Foster:** I thank the Member. The issues that he raised about the TB strategic partnership group are not matters for me but for the Department of Agriculture and Rural Development. I am sure that, if the Minister wants to bring an issue to the Executive, it will be considered by all her colleagues. It is good to be able to allocate £3.9 million to DARD for the TB compensation scheme and £1.1 million to DCAL for its health and safety obligations. That is the budget line under which those have been allocated.

**Mrs McKevitt:** I thank the Minister for her statement. What funding has been set aside for an effective childcare strategy to support working families?

**Mrs Foster:** As the Member is aware, there is a consultation, which I think is still ongoing, on childcare, and it is hoped that, once the consultation is finished, we will be able to chart the way forward for childcare. Childcare is one of those issues that, frankly, no Department wanted to take ownership of. OFMDFM had to step in and take ownership of the strategy and is now moving forward to make sure that it will be well resourced and well dealt with in the future. I agree with the Member that an effective childcare strategy unlocks a lot of issues, not least the economic potential of those people who would otherwise have had to stay at home and been unable to access the world of work. In the future, we will be sympathetic to any money being sought for a childcare strategy.

**Mr Kennedy:** I thank the Minister for her statement. I welcome the allocations to Regional Development, including for essential structural maintenance, concessionary fares and community transport. The allocations completely justify the concerns that I raised consistently as Regional Development Minister. I hope that those allocations will be enough, and also, in time, assist a great many local firms that have been struggling for far too long.

The Minister indicated that this is the final monitoring round in this financial year. Can she address my concern, which will undoubtedly be shared by the construction industry, about how the Executive will address the overall shortfall of funding of the capital maintenance, given that approximately £130 million a year is required to maintain our road network?

**Mrs Foster:** I thank the Member for his welcome in relation to the allocation to DRD. As I said, and he is fully aware of this having been the Minister for Regional Development, we have an incredible pressure in relation to capital funding. That is why I am glad that we have at least been able to allocate £5 million in capital funding, and £11.5 million for essential roads maintenance.

Whilst we would all wish it was more, and would hope to have access to more money for the construction industry, this will be welcomed. I only wish that we had more money to give to the Department. However, I know that the Minister for Regional Development is very content that we have been able to plug at least some of the gap in her budget.

**Mr McAleer:** Go raibh maith agat, a Cheann Comhairle. I welcome, Minister, that you made a reference to longer-term budgets and the importance of certainty for large-scale capital projects. I also welcome the fact that the A5 dual carriageway is referenced in the 'Fresh Start' document. Will the Minister now be prepared to work with her colleague the Regional Development Minister to ensure that the draft order is signed off to enable that project to progress to the next stage?

**Mrs Foster:** The draft order process is entirely a matter for the Regional Development Minister. I am sure that she will have heard what the Member had to say. The reason I mentioned the large-scale projects in the new budgetary process is that if we set a one-year Budget, often that will not allow us to plan ahead. When we are thinking about that Budget and planning ahead, we should, at least, identify a number of large-scale projects that we will be able to roll forward into the next Programme for Government. Otherwise, we would be wasting a year's planning. That is the sort of thinking that we have at this time, but of course that will be a matter for discussion with Executive colleagues.

**Mr Dickson:** I thank the Minister for her statement. Minister, previously you advised Departments to cease discretionary spending. No doubt, that contributed to the Budget allocations that you have been able to make today. Does that advice to Departments still stand?

**Mrs Foster:** He is right that that helped us to have money to allocate. I commend colleagues for abiding by that direction. This is an issue that his ministerial colleague raised with me. Now that we have made allocations, the key point is that people live within their controlled total. That is a matter for each Minister. The ministerial letter from me is probably out of date because I have made the allocations. Therefore, it is a matter for each Minister to live within them, and I encourage them to do so.

**Mr Allister:** Whatever the merits or demerits of this monitoring statement, is it not the truth that in order to make it and the agreement of which it is part, the Minister and her colleagues had to pay the shameful price of sweeping murder under the carpet?

**Mrs Foster:** Oh, is that the question? Sorry. I wish that people would read the 'Fresh Start' document. I wish that people would see that not only have we principles in respect of paramilitarism and criminality but that we have a plan to deal with it through the strategy; that we are taking action through the joint task force; that we have been allocated £160 million for the Police Service of Northern Ireland; and that we have allocated £25 million in respect of setting up a body to deal with paramilitary activity. So, while

he might want to talk about paramilitary activity, some of us are taking action in relation to paramilitary activity, and he can sit back in luxury and do nothing as usual.

**11.45 am**

**Mr McKinney:** Does the Minister agree that, whilst the £40 million for elective care is welcome, it is over-welcome, given the Executive's failure to meet over many months? This money will only narrowly go to alleviating the extensive pressures within the health system, and those pressures are down to a failure to properly finance, married to systemic failure.

**Mrs Foster:** And his failure to agree with welfare reform, which we are about to debate, which would squander millions upon millions of pounds, £114 million this year and £196 million next year. We look forward to his contribution to the debate on welfare reform, which is to come now.

**Mr B McCrea:** The Minister has mentioned, a number of times, the technical monitoring round that may come up in January 2016. For those of us who follow these issues, it is quite a strange departure that such revaluations, if you like, are not brought back to the Executive. I just wonder why such a dramatic initiative is required because, certainly, there will be members of the Culture, Arts and Leisure Committee who are worried about internal reallocations going to places that were not thought of at the start of the year.

**Mrs Foster:** Well, I would hardly call it dramatic in relation to not having a monitoring round in January, given that we will be setting the Budget for next year and that I have said that, if anything comes forward, we will deal with the issue. I am not being prescriptive in relation to the January monitoring round. If there is a need for a January monitoring round, we will deal with it. I say to the Member, if he has concerns in relation to the Department of Culture, Arts and Leisure, it is a matter for the Committee. The Committee needs to take action in relation to that, not me.

**Mr Speaker:** That concludes questions on the statement, and I congratulate the Minister in taking so many questions. It may, indeed, be a record.

## Assembly Business

### Standing Order 42A: Suspension

**Mr Storey (The Minister for Social Development):** I beg to move

*That Standing Order 42A be suspended in respect of the proposed introduction at Westminster of the Northern Ireland (Welfare Reform) Bill.*

**Mr Speaker:** As with similar motions, this will be treated as a business motion. There will be no debate. Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 42A be suspended in respect of the proposed introduction at Westminster of the Northern Ireland (Welfare Reform) Bill.*

**Mr Speaker:** I am satisfied that cross-community support has been demonstrated and that the motion is agreed.

## Executive Committee Business

### Welfare Reform: Legislative Consent Motion

**Mr Speaker:** Before we commence the debate, I encourage Members and the Minister to be mindful of the wording of the motion and confine their comments accordingly. Also, I know that this is a significant item of business, taken after a long period of discussion, but Members should be aware that, if their conduct becomes disorderly, they may not be called to speak.

**Mr Storey (The Minister for Social Development):** I beg to move

*That this Assembly consents to the Northern Ireland (Welfare Reform) Bill 2015 being taken forward by the Westminster Parliament; approves the welfare clauses of the Welfare Reform and Work Bill as initially introduced at Westminster; the draft Welfare Reform (Northern Ireland) Order 2015; and the Executive's proposals to enhance payments flowing from the agreement announced on 17 November 2015.*

I am grateful for the opportunity, at long last, to bring this legislative consent motion to the Assembly. I have spent many hours in the Chamber —

**Mr Allister:** On a point of order, Mr Speaker. Pursuant to Standing Order 16, I wish to have the opportunity to move that the debate be adjourned to 24 November, next Tuesday and, given the opportunity, I will expound the reasons why.

**Mr Speaker:** I am content that the motion is in order, and I will allow 30 minutes for debate. Members will have a maximum of three minutes in which to make their comments and they should indicate their desire to speak by informing the Table. The mover of the motion will have three minutes to propose and three to make a winding-up speech. I will not permit interventions during the debate and, if necessary and the House divides, the vote will be by simple majority.

I therefore propose now to suspend the sitting for 10 minutes, to allow Members and parties to make arrangements in relation to speaking in the debate. The Assembly is, by leave, suspended for 10 minutes.

*The debate stood suspended.*

*The sitting was suspended at 11.50 am and resumed at 12.02 pm.*

## Assembly Business

### Standing Order 16: Delaying Motion

**Mr Allister:** I beg to move

*That this Assembly, in accordance with Standing Order 16, adjourns the debate on the welfare reform legislative consent motion until 24 November 2015.*

We are to be asked today, according to the agenda, to approve a legislative consent motion. I suppose that the clue should be in the title — legislative consent. The motion states “That this Assembly”, which is all of us:

*“consents to the Northern Ireland (Welfare Reform) Bill 2015”.*

The rather elementary problem is that there is not, as published, a Northern Ireland (Welfare Reform) Bill 2015. No one has seen it. Therefore, we are being asked to consent, blind, to a Bill that we have not seen. That begs the question of how far the House is prepared to bend the rules to accommodate such a preposterous proposal.

The motion goes on to state that the Assembly:

*“approves the welfare clauses of the Welfare Reform and Work Bill”.*

Yes, we can read those. I have read them and understand them, I think. It then states that the Assembly approves:

*“the draft Welfare Reform (Northern Ireland) Order 2015”.*

Where is it? No one has seen it. It does not exist as far as the House is concerned. The motion goes on to state that the Assembly approves:

*“the Executive’s proposals to enhance payments flowing from the agreement announced on 17 November”.*

Where are the Executive’s proposals? They have not been published. Nobody has seen them. Therefore, the House is being asked today, with undue haste, to consent to and approve that which it has not seen and cannot see. That seems to me to be absurd. That seems to me to reach new depths of what can only be described as a surreal situation. We are going to approve something, but we have not seen it and cannot read it. It is just not there.

Therefore, I suggest that, since those things are bound to be produced shortly, we adjourn the debate until next Tuesday. In making that proposal, I call in the aid of a paragraph of the agreement. Paragraph 2.2 on page 22 states:

*“The Welfare Bill will be debated and approved by the Assembly by way of a Legislative Consent motion no later than the week commencing 23 November”.*

Even the agreement anticipates running it to next week. So what is the rush? Why are we foolishly putting ourselves in a position of ridicule by approving something that we have not seen?

**Mr Storey (The Minister for Social Development):** For accuracy for the Member, the Bill has been published. I have a copy of it here.

The reasons for the utilisation of the Order rather than an Act of the Assembly are set out in the memorandum

of understanding that has been tabled today. For the Member’s information, I will read that to him. It states:

*“Welfare Reform has already been gradually introduced in [Great Britain] since 2012. The impasse on the implementation of Welfare Reform in Northern Ireland has been a significant ... the [Northern Ireland] Executive in reaching an agreed budget settlement and has attracted financial penalties from [Her Majesty’s Treasury]. Given the financial pressures this has created, it is imperative that reforms are introduced in Northern Ireland as soon as possible.*

*Given that it would be extremely difficult for the Assembly to legislate on welfare before the end of the current mandate it is essential to allow Westminster to legislate to make the necessary changes.”*

To comply with the Westminster timetable, it is necessary to suspend Standing Order 42(a) to enable the legislation to be passed. If the Standing Order were not suspended, it would introduce a delay of a minimum of four weeks, which would jeopardise the passage of the Welfare Bill at Westminster. Those are the reasons why I have decided to move to suspend the Standing Order and proceed with the Bill as set out.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. We welcome the ruling that the motion is in order.

This is a historic agreement. It has been reached across a range of issues after weeks of debate and negotiations. It is about the future of our society. It is about protecting our most vulnerable: our people who are on benefits and who are suffering. It is about defending our public services. It is a very serious debate.

We should get on with the debate. That is where we need to make the points and where all of us, together, need to ensure that we protect our most vulnerable and defend our public services. To be honest, I think that Mr Allister would be better placed doing that than the gimmick that we have seen today.

**Mr Durkan:** Go raibh maith agat, a Cheann Comhairle. I support Mr Allister’s proposal.

**Mr Givan:** What a coalition.

**Mr Speaker:** Order.

**Mr Durkan:** A proposal was made at yesterday’s Executive meeting and supported by the SDLP to defer any decision on the deal until next week. Evidently, there is great haste to get the deal across the line. Anyone would think that there must be something happening at the weekend. *[Laughter.]* Mr Allister cited the date that is given in the document and said that agreement must be reached by a date not later than the week commencing 23 November, which is next week.

Also in the document is a throwback to the Stormont House Agreement, institutional reform and how we improve the way that we do business around here. Paragraph 62 on page 36 states:

*“Agenda circulated one day in advance of an Executive meeting”.*

Before yesterday’s Executive meeting, an agenda and papers were circulated to us half an hour in advance.



This is not the way to do business. We should not be asked to vote on something blind, whether in favour of it or against it. I certainly support calls for a deferral of such a decision.

**Mr Nesbitt:** I also support the proposal to delay the debate until Tuesday.

It is, after all, less than 24 hours since the DUP and Sinn Féin published this document. I note that this version states that it is from the Northern Ireland Executive rather than the two main parties of the Executive, but we shall see. We shall see which Executive parties end up supporting it. Certainly, the initial version that I was given has no mention of the Executive on its cover.

Anyway, the document gives rise to the Minister's desire to propose a legislative consent motion on welfare reform. That is a very big move, and it is a big document. In briefing the Ulster Unionist Party, the First Minister and deputy First Minister seemed to take a degree of pride in the fact that it is a lengthy and detailed document, unlike the previous Stormont House document of 23 December last. So, there is a lot to study, is there not, as well as the 2015 Order?

Let me just put on record that, during the long talks, we in the Ulster Unionist Party were never in favour of handing welfare power back to Westminster. The reason for that is simple. The clue is in this title: we are Members of a legislative Assembly. We are supposed to be legislators. Is the height of our ambition to legislate to hand over the power to legislate to others because we want Westminster to pick up on welfare reform; we want a panel on paramilitaries; we want a panel deciding who the vulnerable are? It seems that the only thing that we want to legislate on is to give power away. Is that the height of our ambitions?

So, if this document really is a fresh start and is going to deliver —

**Mr Speaker:** May I just remind you that we are discussing a motion to postpone the discussion that you are having until next week. So, I think that you should address the motion that we are presently addressing, not the one that is to come.

**Mr Nesbitt:** OK, Mr Speaker. I will stand by that. I will conclude by saying that this is, according to the document:

*"An agreement to consolidate the peace, secure stability, enable progress and offer hope".*

If it is that important, surely allowing a few extra days for those of us who have had the document and the proposals for less than 24 hours makes utter, logical sense.

**Dr Farry:** Mr Speaker, mindful of your ruling, I will keep my remarks, and my colleagues will keep theirs, on the substance of the LCM until later in the debate. However, just to put it in context, we are speaking today as a party that is minded to vote in favour of the LCM, notwithstanding that we have expressed scepticism around the deal, particularly the rush and the degree of transparency. That said, in our wider intentions, we believe that nothing would be lost by the Assembly having a week to consider the wider documentation around this. Many of those documents are already in the public domain. However, all of this is happening within a very rushed timescale.

In that context, Mr Durkan referred to the proposal that David Ford made at the Executive yesterday that consideration of the agreement be delayed until next week. The agreement itself refers to the week of 23 November being the decision-making week. In that respect, we believe that delaying a decision in the Assembly is consistent with the agreement, even though we have not yet, at this stage, endorsed that agreement.

A delay would allow Assembly Members to avoid the sense that they are being bounced or pressurised into making a very big decision over a very short time, less than 24 hours after the information, request or notice of an LCM came into the public domain. We think that that is the only fair way that the Assembly can have an open, fair and transparent debate, where no one can have any complaints, irrespective of parties' ultimate decisions on individual aspects of the deal, such as the LCM itself.

**Mr B McCrea:** I think that Mr Allister was quite prescient in bringing this to our attention. In his response, the Minister made a good argument for why Standing Order 42A needed to be suspended. I take on board that there would otherwise be a four-week delay that may cause some problems in the legislative programme at Westminster. However, I am not sure that he addressed why we should not wait until next Tuesday.

There is some talk that this appears to be a deal between the DUP and Sinn Féin. I am sure that they do not want it to be that and that they would like it to be more inclusive and to bring more people into the debate. Therefore, there is an argument for delaying it for a week to give people a chance to study it and come forward with proposals. Like Mr Farry, I will, in all probability, support the LCM, but I think that we should not rush into it. As a matter of principle, when you are asked to consent to something but you do not know what it is, and, as far as I am aware, it has not been laid, that seems to be a very dangerous precedent to set. If you are going to agree to something on a legislative basis, it ought to be in front of you so that you can see what you are agreeing to. On that basis, I will be supporting Mr Allister's motion.

**12.15 pm**

**Mr Allister:** I reiterate this: this is on the very simple but elementary premise that you should not consent to something that you cannot see and that you have not got.

**Mr P Robinson:** It is here. Open your eyes, then. Read it.

**Mr Speaker:** Order.

**Mr Allister:** The Minister claimed that the Northern Ireland (Welfare Reform) Bill 2015 is published.

**Mr P Robinson:** It is.

**Mr Allister:** Well, it is not in the Bill Office, so it is not available to a Member of the House. How are we to consent to something that is not available?

**Mr P Robinson:** It is available.

**Mr Allister:** It may be available to some clique —

**Mr P Robinson:** It is available to the public.

**Mr Allister:** — but it is not available to Members of the House — *[Interruption.]*

**Mr Speaker:** Order. The Member has three minutes to conclude.

**Mr Allister:** — nor is the Welfare Reform (Northern Ireland) Order, nor the proposals. We are asked to approve four things in the motion, and three of them are unavailable —

**Mr P Robinson:** Wrong. Wrong.

**Mr Allister:** — to Members of the House.

Why the rush, in breach of the very timeline in the agreement itself? Why the rush? Is Mr Durkan right? Is that the reason for the rush? Really, the House does itself no favours for its standing if it simply nods through something that it has not even seen. As others said, there is nothing to be lost and much to be gained by taking the six days to allow the Bill to be put into the hands of everyone and published, and to allow the Order to be published so that the House properly, by due process, can consent in an informed way to what it is being asked to consent to.

Anyone who is wondering about the degree to which we are departing from the norms should read Standing Order 42A, which we have agreed to set aside. We have set aside huge hurdles, and, having agreed to do that, the least that we can do is now consent to delay the debate until the documents that we are being asked to agree are in our hands, because today they are not. That is unconscionable and wrong, and I very much regret the fact that the clique that dominates the House is nonetheless going to force through the House a suggestion that we pass that which we have not seen and cannot see.

*Question put.*

*The Assembly divided:*

*Ayes 33; Noes 58.*

## AYES

*Mr Agnew, Mr Allen, Mr Allister, Mr Attwood, Mr Beggs, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Cochrane-Watson, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Gardiner, Ms Hanna, Mr Hussey, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr McNarry, Mr A Maginness, Mr Nesbitt, Mrs Overend, Ms Sugden.*

*Tellers for the Ayes: Mr Allister and Mr B McCrea.*

## NOES

*Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr G Kelly, Mr Lynch, Mr Lyons, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Middleton, Mr Milne, Lord Morrow, Mr Moutray, Mr Murphy, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Storey, Mr Weir, Mr Wells.*

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

*Question accordingly negated.*

## Executive Committee Business

### Welfare Reform: Legislative Consent Motion

*Debate resumed on motion:*

*That this Assembly consents to the Northern Ireland (Welfare Reform) Bill 2015 being taken forward by the Westminster Parliament; approves the welfare clauses of the Welfare Reform and Work Bill as initially introduced at Westminster; the draft Welfare Reform (Northern Ireland) Order 2015; and the Executive's proposals to enhance payments flowing from the agreement announced on 17 November 2015. — [Mr Storey (The Minister for Social Development).]*

#### Mr Storey (The Minister for Social Development):

I am glad that that suspension was not as long as the previous one and that we are now able to proceed. As I was stating at the commencement, I, like many Members, have spent many hours in the Chamber over the past 12 months dealing with the issue of welfare reform. We can all remember the marathon sessions when we discussed the Welfare Reform Bill at Consideration Stage and Further Consideration Stage and how, ultimately, the Bill fell at its Final Stage.

We all recognise and understand the political and ethical challenges that the Welfare Reform Bill presents for all the parties in the Assembly. It has been clear for many months that getting the Welfare Reform Bill through the Assembly would be difficult and was not going to happen in the short term. In order to make progress, it was essential that we were creative and innovative in finding a way to move forward whilst recognising and addressing the genuine concerns that many in the Chamber hold about the proposed changes to the welfare system. Indeed, many of those concerns are held by many of our constituents across Northern Ireland. This has been a difficult balance to achieve, but I believe that the proposals before the Assembly today represent the most practical way of achieving it. I am, therefore, asking the Assembly to pass this legislative consent motion, which will enable us to reform the welfare system whilst helping the most vulnerable and those hard-working families who would lose their tax credits under the plans announced by the Chancellor.

This motion seeks agreement, in principle, from the Assembly for the Government to introduce the changes to the welfare system in Northern Ireland at Westminster through the Northern Ireland (Welfare Reform) Bill 2015. For those Members who claim that they have not seen it and wish to have sight of it, that information is available on the Northern Ireland Office website.

This motion also provides for the introduction of both the Welfare Reform Order 2015 and the welfare clauses of the Welfare Reform and Work Bill, which was introduced in Westminster earlier this year.

The legislative consent motion will also ensure that the Executive will have the necessary powers to put the top-ups in place that follow from the agreement that was announced yesterday. Let me assure Members that the Welfare Reform Order 2015 will reflect the amendments and provisions that were agreed by the Assembly at Consideration Stage and Further Consideration Stage of the Welfare Reform Bill.

At the heart of the Fresh Start Agreement is, I believe, a recognition of the harsh fiscal realities that we, as an Executive, face, as well as a will to tackle the difficult issue of welfare and the protection of our most vulnerable citizens as we move forward. The Executive are committed to legislating for the implementation of a range of mitigation measures to offset the more adverse impacts of the Government's reform proposals. It builds on the work that was taken forward in the Stormont Castle agreement but also provides £240 million for families impacted by tax credits. No one should underestimate the difficulties and challenges that would have been created for families had we not made such an agreement.

This fresh start to how we deal with welfare reform will help ensure that Northern Ireland has a welfare system that meets the needs of its people and that is fair, affordable and deliverable. There are Members who, maybe, need that to be repeated: we want to ensure, for our people in Northern Ireland, a welfare system that meets their needs and that is fair, affordable and deliverable.

Our critics have continually complained about the failure to reach agreement on welfare and about how that has led to public services in Northern Ireland being damaged because of the fines being imposed by Treasury. If the Assembly passes this legislative consent motion, it will bring the regime of financial penalties to an end, and, indeed, the Executive will be able to reclaim some of the penalties that the Treasury has already taken from the block grant. The Westminster Bill will include a sunset clause that will ensure that these arrangements will apply only until the end of next year.

Members, let me assure you that I recognise that this is a difficult issue for many in the Chamber, but I believe that passing this motion represents the best way forward.

I conclude, Mr Speaker, with the comments I made when I first came to the House as Minister to introduce the process of welfare. Let us not forget that we are dealing with people's lives. We are dealing with real people; we are dealing with people across our country who have real challenges and issues. I believe that it is incumbent upon us to do everything that we can. Yes, there are challenges, and, yes, it has been difficult, but we have stayed at this in a way which, I believe, has brought us to the place where we can have a fresh start on welfare. I commend the motion to the House.

**Ms P Bradley:** Thank you, Mr Speaker, for the opportunity to speak on the legislative consent motion. It is not my intention to repeat the many arguments for and against the impact of welfare reform. Indeed, this piece of legislation has been scrutinised and debated to the nth degree not only in the Committee for Social Development but in the Chamber. It has also been scrutinised in the many churches, community groups and civic buildings up and down the country. I cannot say that I look back with the fondest of memories to some of the many evenings spent in venues across Northern Ireland, listening to the concerns of individuals, the voluntary and community sector and, most importantly for me, the women's lobby. Thankfully, those voices were instrumental in shaping the Welfare Reform Bill that is tailored to Northern Ireland.

In preparation for the debate, I looked back at the contributions from all parties in the Assembly. No party in the Chamber has the monopoly on representing the

vulnerable, and there is no party that does not agree with the general principles of the Bill, yet it has proven to be one of the most contentious pieces of legislation that the Assembly has had to deal with. Possibly, some in the Chamber today will make jibes in an attempt to politically grandstand and electioneer on the decision to allow Westminster to legislate. I ask them to remember that the legislation deals with a high number of our constituents whom we have vowed to represent and who, for some time, have been living with the unknown as to how their future will be affected.

I find it quite strange today to be speaking about welfare reform but not seeing Mr Mickey Brady's face across the Chamber. Mr Brady, when debating welfare reform — he talked quite a bit about the subject — never mentioned the word "benefits". I totally agree with his not mentioning it, because, when we think of benefits, we conjure up an image of advantage, a better life and something that makes life more comfortable. That is not what the benefits system is about, and it certainly does not do that.

I want to digress ever so slightly, if you will give me your permission, Mr Speaker, because I want to bring into the debate the issue of tax credits. Perhaps, you will allow me to explain why. Of course, I will respect your judgement should you ask me to go off the subject. As many Members will know, I was a single parent very soon after having my children. I was also a working mother, and I worked extremely hard to pay a mortgage and keep a roof over our heads. I remember working with many people who, like me, were in receipt of child benefit. I used to envy those who told me that they put away their child benefit to pay for a holiday or spending money, for their children going to university or to buy them their first car. I could not wait to get my child benefit every month just to put money in the electric meter. That is what so many people on welfare benefits face every day.

In another vein, I am old enough to have been a parent when family credit came in. What a difference that made to my life. What a difference it made to my children's lives. The difference in their birthdays, Christmases and any holidays that we had was because I was a working mother getting assistance through working tax credits. I want to commend not only my party but other parties in the Chamber that, at Westminster and in the House of Lords, voted against the Conservative cuts to tax credits. I, as a working mother, like many other working mothers and fathers out there, know just how much they benefit us and how much that benefits the economy. I welcome that and say well done to them.

I want to comment on the agreement reached on the £240 million for working tax credits. I know, as we all know here, that this will affect our nurses, our healthcare assistants and the people who work in our hairdressers, dentists and butchers. All along all our streets in Northern Ireland, they are the people who will benefit from this. It is vital that I put that in.

In finishing, I ask that all parties around the Chamber put aside their differences and what has happened during the talks over recent weeks. Instead, consider the impact on those in the welfare system and on our constituents who have felt the effects of nothing being done, and consider how that has manifested itself across all Departments. I support the legislative consent motion.

**Mr Murphy:** Go raibh maith agat, a Cheann Comhairle. I would also like to offer my support to the legislative consent motion. The Minister, when he was summing up, correctly referred to the fact that this is about families and people. It is about the impact that unjust and unfair changes to welfare and, now, proposed changes to family tax credit assistance by the Westminster Government will have on the real lives of ordinary people right across society here.

#### 12.45 pm

Our responsibility as elected representatives is to do something about that. That is what brought us to the point, this time last year, in the Stormont House discussions as to how we would collectively create some type of mitigation system that would recognise the unfairness of the British Government's — at that stage, the coalition Government — decision to target those most vulnerable and most in need as a means to reduce the deficit when other means were very clearly available to them.

We had a very lengthy, detailed and often fractious discussion in Stormont House this time last year in the build-up to the Stormont House Agreement in December. At one stage, we had a four-party agreement on how this should be tackled, when the, then, other four parties in the Executive settled for an approach to resolve these issues. Sinn Féin was not satisfied with that, and we held out until such times as we secured a five-party agreement, when all the Executive parties agreed the approach that would be taken on welfare reform legislation and the establishment of a bespoke mitigation system to deal with those who were most affected and most vulnerable.

That Welfare Reform Bill went through after various debates and amendments having been made to it, but it fell at the last hurdle, after a very lengthy progress through this institution, because we were not satisfied, and we had some disagreements with the Minister for Social Development about the roll-out and design of some of the schemes that were to give effect to the agreement that we had. That is where the issue stopped.

I listened to the earlier debate on the motion to suspend Standing Orders. It was interesting to hear some of the parties on the Benches at the top end of the Chamber who, at that stage, were saying to us that we were the chief blockage to the passage of the Welfare Reform Bill and that we needed to get on with it. Other parties said that they did not like the Welfare Reform Bill but they had to accept it. Now, suddenly, they have taken cold feet on the issue and want another week to discuss the Welfare Reform Bill, having lambasted us for the last 10 or 12 months that we needed to simply get on with passing the Bill and deal with the consequences of it.

Everything changed for all of us with the election in May of a single-party Conservative Government that was even more hell-bent on pursuing austerity measures and making those less well-off in society pay for the deficit that that Government and previous Governments had created. George Osborne, the Chancellor of the Exchequer, made an announcement in July. The Tories had dressed up the changes to the welfare system for the last number of years as being something to encourage people out to work. Very clearly, that was proved to be the lie that most of us here knew it would be when they targeted working families and those who availed themselves of family and child tax

credits for further swingeing cuts to the resources that were available to ordinary people.

That changed the game for all of us and brought us back to discussions, again, in Stormont House and Stormont Castle about how we would deal with the new situation over the summer months and, in a more intense fashion, over the last 10 weeks. I attended meetings with most of the parties, and I cannot recall a disagreement that all the parties accepted that we had a responsibility, just as we felt that we had a responsibility to deal with the welfare issue, to use the resources available to us to create a safety net for deserving and vulnerable people in society. We all accepted that the tax credit issue changed that and that we needed to look to that issue. We also acknowledged that we had a responsibility to deal with the impending cuts to families as a consequence of the proposed changes to tax credits.

Thus, we set about trying to craft a system that recognised that. As a consequence of the agreement that was reached yesterday, we will have a bespoke system that will be designed with schemes brought forward by a panel headed up by Eileen Evason, who is a recognised expert in this field and someone who, all will recognise, comes from a position of deep sympathy for those people who find themselves made even more vulnerable as a consequence of the British Government's policies. She has a determination to find ways to assist the most vulnerable in society.

That panel will bring forward schemes worth some £585 million to be allocated over the space of four years, which is significantly more money over a shorter period than originally was in the Stormont House Agreement. Interestingly, all parties here agreed that previous scheme, but they did not sign up to the deal when it eventually came out. Nonetheless, they managed to take part in implementation talks over the last 10 weeks to implement the deal that they refused to sign up to. That is the kind of topsy-turvy world that appears in this Assembly from time to time, where people can support things, oppose them, then support them and take the bits that they like and oppose bits that they do not like, and pose in that regard in front of the electorate.

All parties agreed that we needed to do something with tax credits as well as the welfare issue, and I think that what has been proposed and agreed in part of this implementation plan gives us protection measures that are better than those that exist anywhere on these islands for people who are struggling.

I turn to the matter that is front of us today, which is how to give effect to all of this. Over the last number of months, the British Secretary of State, Theresa Villiers, made a number of interventions, most of which were unhelpful, on this matter in particular and on a range of other matters. At one stage, she threatened that, in the event of no agreement among the parties, the British Government would legislate over our heads and against our wishes, and implement in full the welfare reform changes without any of the protections that we had agreed to build into that process. That, clearly, is not what is happening here today. We have an agreement among some of the parties, and some of the other parties have reserved their position on this. Having listened to some of the commentary over the last number of days, I am not clear where people actually



stand in relation to the matter that is front of us, but maybe we will find out during the debate.

What we have now is the Assembly agreeing a scheme to look after the most vulnerable people in society and people who will be affected by tax credits. The Assembly will approve the legislation that will go over to Westminster to be passed. In doing so, we will have returned to us at least some of the completely unjust and unjustifiable fines that were being taken as a consequence of our decision-making process on welfare. Importantly, because I have heard people say that we are handing power over to Westminster, the sunset clause in this legislation ensures that this is a one-off process to facilitate this particular arrangement, after which the powers in relation to welfare will come back to the Assembly. That may create further difficulties for us up the road. Who knows what the Tory Government have up their sleeve in terms of further attacks on the poor, the vulnerable and the working poor in society? But we will meet those challenges as they arise, but one thing is certain: this Assembly will retain control over those matters.

We are not looking for credit, and I quite understand people's frustration with all that has gone on here over the past time, but, over the eight or nine years since 2007, the Assembly has acted as a bulwark against austerity policies. We have prevented the introduction of water charges, and we have prevented the introduction of prescription charges. We have capped tuition fees, and we still have free transport for people over 60. All parties in this institution can and do claim some credit for all that. Even parties that consistently voted against the Budgets and consistently voted against Programmes for Government can claim some credit for those arrangements, and I think that we can justifiably be proud that, in a situation where hard-pressed families right across these islands are getting stretched and pressed and squeezed even more, we have taken measures and prevented things from happening to people and to try to give comfort.

As the Executive said at the time, the decision on water charges was taken on the basis that we considered that economically hard-pressed families could not sustain any further attack on them. The Assembly took decisions that others have criticised us for and that have stretched our budgets in other areas even further. Nonetheless, we took those decisions for those reasons, and I think that we can justifiably be proud of them. As I said, even those who have opposed Budgets and Programmes for Government can and do share in some of the credit for that.

I am sure that we will get an opportunity to return to the legacy issues that are outstanding and the refusal of the British Government to come up to the mark on those.

Going forward from today, we can create an opportunity to continue with that work; to effectively use this institution to oppose and challenge continued Tory austerity, as others are trying to do in Scotland and in Wales, although with less success than we have had on some of these issues, by the way; to work with progressive forces in Britain — Scotland, Wales and England — where there is increasingly a debate about the impact of all this on ordinary people and on society generally; to work with progressive people in the South as well; to continue to stand up for vulnerable people in this society; to continue to get the best deal possible and offer the best possible

safety net, if you like, for those people; and to continue to ensure that hard-pressed families get our support. From the people here who did agree, in principle, to the measures being taken, given the unfairness and the unjustness of the British Government's approach, there is a determination to try to do things better for the people we represent in this part of the world. I think that the agreement reached offers us an opportunity to do that, and we should take it forward into the future.

**Mr McKinney:** Mr Speaker, at the outset, I ask for a bit of indulgence in the context of this debate. It obviously comes as a result of the negotiations that have been going on over the last while. I would like to put it on the record that we were, of course, disappointed that parties went off to deal with issues such as welfare and others without fully consulting all the parties. We saw — this is recognised — a major hole in the overall deal in its failure to deal with legacy issues.

For us, there is another major hole in the deal, in that it failed to include major work on the economy. Like other parties, the SDLP recognises that we have the lowest paid economy in the UK. We have regions and government districts in Northern Ireland that, 17 or 18 years after the Good Friday Agreement, continue to top league tables for long-term deprivation and unemployment. It was our expectation and hope that we would not attack those communities further and lead to the potential for a benefits cap or benefits freeze for four years and completely eliminate targets on child poverty. We wanted to see an ambition at the heart of this project that would have seen university places, training, apprenticeships, consistent actually —

**Mr Speaker:** Could I —

**Mr McKinney:** I did ask for a bit of indulgence, Mr Speaker.

**Mr Speaker:** Yes, and I think that you will agree that you got some indulgence. We are actually discussing the legislative consent motion, and I have to strongly advise you to return to that, or else I will be obliged to stop your contribution.

**Mr McKinney:** Mr Speaker, I was touching, in the context of my remarks, on the issues of the benefits freeze, the benefits cap and the elimination of, or the attempt to eliminate, child poverty, which we should have as a core ambition here. West Belfast, for example, is an area that singularly tops the agenda there.

As for the SDLP's contribution to all these welfare reform issues, our bona fides are clear. We wanted to see this rooted in devolution. We wanted the clauses to appear in the legislation that applies here. I just turn to the Northern Ireland (Welfare Reform) Bill, which will be based on the principle of an Order in Council. I reflect that, rather than "will" or "shall":

*"Her Majesty may by Order in Council".*

And:

*"No recommendation is to be made to Her Majesty to make an Order in Council under subsection (1) unless a draft of the statutory instrument containing the Order has been laid before, and approved by a resolution of, each House of Parliament."*

So, I am delighted to see Sinn Féin's new-found confidence in the Tory Government in respect of that. I reflect Conor Murphy's remarks in that I think that we might see some more "topsy-turvy" to come.

As I say, the SDLP wanted to see things done differently. We are concerned about how some of this will be funded. We do not know where the money will come from. It is supposed to be coming from investigations into fraud. We note that just over £51 million of fraud was detected last year, yet there is an expectation to increase that by more than 100%.

It is important to get to the point of exactly what we are being asked to do. We are being asked to diminish aspects of devolution that the SDLP, for one, fought hard to achieve. We reject that. We are being asked to hand over to the Tories, or Thatcher's children, as Martin McGuinness likes to call them, decisions on legislating on welfare.

### 1.00 pm

Only a matter of weeks ago, Sinn Féin would have described this as a huge, serious mistake, but, now, Sinn Féin is doing Tory austerity, and in spades. By allowing the British Government to implement welfare reform, it is introducing the benefits cap, freezing the benefits for four years and completely eradicating those targets.

I too would like to praise Eileen Evason. She has been a stalwart in defending the rights of the most underprivileged and vulnerable here. I welcome her involvement, but I express a concern that any involvement that her and her team will have will only be consistent with the legislation that comes back to us. For me, that is a concern because it removes the scrutiny that the Northern Ireland Assembly would have over many of these issues.

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

I touched earlier on the negotiations that led to the debate earlier in the year around all these issues and how other parties sought to reject the SDLP's honest amendments, which were tabled with the real intent of protecting those that we believed would be adversely affected by Tory austerity. We witnessed, against that backdrop, a Sinn Féin U-turn at its conference in the spring. We then had a subsequent debate around some of these issues.

Conor Murphy used the term "topsy-turvy". I do not know the extent to which Sinn Féin is going to engage in the debate, but I will refer to some of the remarks that Sinn Féin Members made at the time of the debate on the Final Stage of the Welfare Reform Bill. Martin McGuinness said:

*"Capitulating to pressure and demands from the Tories in London is, in my view, a major tactical error. However, the crisis we are facing, and I say this to all the parties in the Assembly, is not of the making of any of the parties here or in the Executive. The crisis has been created by the austerity agenda of a Tory Administration in London that is attempting to decimate our public services and punish the most vulnerable people in our society". — [Official Report (Hansard), Bound Volume 105, p4, col 2].*

He went on to reflect on how Sinn Féin had stood against Tory austerity in vast numbers and he reflected on how there were no Tories in Northern Ireland. He said:

*"They have no democratic mandate for their austerity policies here in the North of Ireland, yet they have already taken £1.5 billion from the Executive's block grant".*

He then went on to say:

*"The British Government's Cabinet of Tory millionaires has announced plans for further eye-watering cuts of £25 billion ... Those new cuts are set to begin almost immediately, and they will devastate our core public services". — [Official Report (Hansard), Bound Volume 105, p5, col 1].*

In that context, I mention the benefits cap, freezing benefits and completely eradicating targets for child poverty. That is what Sinn Féin is asking us to do today.

Alex Maskey, in the same debate, said:

*"I will make the point again that the Tory Government, who are the body responsible for the position that we find ourselves in, have no mandate here whatsoever, whereas the parties around the table here do".*

And what is it asking us to do today? To hand over that power to the Tories. Alex Maskey said:

*"We have a responsibility to discharge that mandate to the best of our ability". — [Official Report (Hansard), Bound Volume 105, p13, col 1].*

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

**Mr McKinney:** I will.

**Mr Maskey:** I will ask the Member two questions, with the indulgence of the Speaker. You mentioned a few minutes ago in your commentary around the benefit cap that your party proposed the benefit cap in the talks that have just concluded. You might need to establish the factual accuracy of that. Secondly, your party colleagues were telling everybody here that you would be kingmakers after the general election at Westminster. Do you not accept in this House that you are only a bit player?

**Mr McKinney:** I have no difficulty dealing with both comments. I see my colleague Alex Attwood, who is a former Social Development Minister, shaking his head negatively. He was close, in those talks — *[Interruption.]* Sorry, I will just finish. We did not propose what you are talking about. I heard mention earlier of Mickey Brady. He will be at Westminster all right, but Mickey Brady is going to do nothing. Why should he have to do anything now, when you are handing the authority to the Tory Government to do what they want?

I will continue. Mr Maskey said:

*"Nobody in this room, the last time that I checked, represents any electorate outside these Six Counties ... I just want to finish my remarks on this point: parties here have a major responsibility on their shoulders. We in Sinn Féin have no hesitation in standing our ground against austerity." — [Official Report (Hansard), Bound Volume 105, p15, col 1].*

I ask you this, Mr Principal Deputy Speaker: is that what is happening today? Is that what we are being asked to do today?

**Some Members:** Yes.

**Mr McKinney:** Well, you tell that to the people of west Belfast and to the people of Northern Ireland. Mr Maskey continued:

*"People inside and outside this Chamber have a responsibility to stand up against the cuts to the block grant and welfare, as well as the cuts that are coming down". — [Official Report (Hansard), Bound Volume 105, p15, col 1].*

Of course, we will be looking closely for any further budget cuts that will come from the Tory Government in the next while.

I will continue, painful as it is for Sinn Féin to listen to this. Michelle O'Neill said:

*"It is comical that Sammy Wilson referred to people burying their head in the sand, because I very much think that the DUP has an ostrich mentality when it comes to standing up to the Tory Government. There are parties ... that are very happy to cosy up ... to the Tory Government and their austerity policies, but not one party in the Chamber stood for the recent Westminster election on the same Tory policy." — [Official Report (Hansard), Bound Volume 105, p20, col 1].*

That is the same Tory policy that Sinn Féin will now introduce to Northern Ireland from today, without the big debate that —

**Mr Hazzard:** Where is the bedroom tax?

**Mr McKinney:** Well, you do not know.

**Mr Hazzard:** It is not here.

**Mr Principal Deputy Speaker:** I ask the Member to direct all his remarks through the Chair.

**Mr McKinney:** Thank you, Mr Principal Deputy Speaker.

Michelle O'Neill continued:

*"Not one person put that in their manifesto."*

It is important to remember that she said:

*"The people in the Six Counties did not vote for a Tory policy of austerity; the people in the Six Counties voted for local, elected politicians. ... That is why we are devolved."*

Yet today she and her colleagues are asking for devolution and powers around welfare to be handed back to the Tories to do what they want. I refer again to clause 5 of the Bill. She went on to say:

*"We have an opportunity now to stand up and show the electorate of the North that we will work together and face down the Tory policies of austerity."*

I am glad to see that Mr O'Dowd is in the Chamber because he, too, spoke during that Final Stage. He said:

*"You are never sure which Government will be returned, but why, after the Tories were returned, was there not more energy and enthusiasm from some quarters to resolve this issue?" — [Official Report (Hansard), Bound Volume 105, p48, col 2].*

I think that there was, and I think that the SDLP demonstrated that there was. It was not us who sidelined us towards the end of these discussions. It was the two

bigger parties. They did that so that they could shove this stuff off their desk. They did not like it, for electoral reasons and, potentially — I heard this mentioned earlier by my colleague Mr Durkan — for weekend reasons.

**Mr Hazzard:** I thank the Member for giving way. The Member seems to be taking an awful lot of offence that he has to deal with welfare today in one day. The Member will perhaps be enlightened to know that, on 6 October, during the talks, his colleague Alex Attwood asked for a one-day session to deal with welfare. I think that the SDLP should get its facts right on this issue.

**Mr McKinney:** I am not quite sure whether the Member is now agreeing with me and asking for a greater amount of time to do the talks. If he would like to contribute at a later stage and reflect on that, or maybe even suggest at the end of this process that he will vote against it so that we will have more time to discuss it, I will welcome that, but I see from the look on his face that he will do no such thing. He will put his hand up today, as the rest of Sinn Féin will, for Tory austerity. Forget devolution, forget the people of Northern Ireland, forget the vulnerable and let us hand it all over to the Tories.

I return to Mr O'Dowd, who asked:

*"Are we witnessing a choreographed plan? Has the DUP, or elements in the DUP — we have heard about such elements in other political parties — decided to hand back welfare to the Westminster Government? That is a huge mistake, both for the administration of government here and for the protection of — this is a well-used term — 'the most vulnerable in our society'."*

I wonder now whether he was thinking ahead in how he viewed those vulnerable. He went on to emphasise:

*"It is a huge mistake." — [Official Report (Hansard), Bound Volume 105, p48, col 2].*

I know that Sinn Féin is fond of rewriting history from 40, 30, 20 and 10 years ago. It is now going to rewrite history from a few months ago. That is why I want to read into the record in this debate exactly what it said then and exactly what it is going to do now.

Mr O'Dowd continued:

*"Every one of the parties, as far as I am aware, who stood in the general election, apart from the Conservatives, went knocking on doors and said, 'We are here to represent you. We are opposed to further cuts. We want to stand up for you. In fact, we are going to go back to Westminster's power brokers and we are going to help to form the next Government because we will stop them doing what they are going to do.'" — [Official Report (Hansard), Bound Volume 105, p50, col 2].*

That is the point that Mr Maskey was making. At the first opportunity they have of standing up to them, they do the opposite.

**Mr Murphy:** I thank the Member for giving way. I am interested to note that he has so little to say on his own behalf that he spent three quarters of the time quoting Sinn Féin. Also, if there are any difficult questions asked of him, he intends to pass them on to Mr Attwood to deal with, so I appreciate that he is somewhat limited in his opportunity to reply.

I listened to his remarks, and the only thing that I can find that he objects to is the legislative passage that we are talking about, which he is entitled to object to — the use of the Assembly approving the legislation that goes to Westminster for completion, and an ending to that process with a sunset clause. Has he any other difficulties with the package that is proposed? Does he disagree with £585 million over four years to address these issues? Does he disagree with the fact that we are now trying to include some resource to deal with the issue of tax credits? Does he disagree with the panel being set up under Eileen Evason to bring forward schemes to deal with all those issues?

He almost has the white flag up in terms of complete Tory austerity, but thus far the only point of disagreement that I heard him raise is how the legislation is passed. Can he tell us whether he disagrees with all the mitigating circumstances that are included in this proposition?

**Mr McKinney:** I do not know if the Member was listening more intently to my latter comments than my earlier comments, in which I did reflect on the money. I wonder where the money is coming from and whether there is sufficient to deal with the issues.

We should all be concerned about this. The reason I am re-emphasising so much what Sinn Féin is about to do is that we are handing over power. We are emphasising the fact that child poverty targets are nowhere to be seen in this. Of course mitigations are welcome, but are they going to apply to the extent that we could and should have argued for? We do not know that, and that is of major concern to the SDLP.

I will finish by quoting Mr O'Dowd again. After the election, he said to the unionists:

*"Let us be clear about this: the rebellious Scots have achieved more in the last six months from the British Government than ye have achieved over this last 50 years being loyal to them. So let us learn a lesson from the rebellious Scots; let us learn a lesson from them and stand with them and the Welsh to ensure that George Osborne, David Cameron and others get a very clear message that, while we respect their mandate, they have no mandate to deliver what they are proposing to do to our public services, to our government and to our people." — [Official Report (Hansard), Bound Volume 105, p50, col 2].*

**Mr O'Dowd:** Will the Member give way?

**Mr McKinney:** I am about to conclude, so I will let you do it in your contribution rather than now.

We have seen what has happened here today. I would like to quote, finally, a remark from a senior politician as we neared the conclusion of the talks. I will not say who it was, but they said:

*"If we had not reached some form of agreement, then that would have led to the collapse of the institutions. We have averted that, and that is hugely significant."*

I hope that we have not done that at the cost of people who need our help.

1.15 pm

**Mr Beggs:** When I look closely at the legislative consent motion, I see four key aspects. First, the consent that the

Northern Ireland (Welfare Reform) Bill 2015, which fell in the Assembly, is to be taken forward by the Westminster Parliament, so I know exactly what that is. Secondly, the approval of the welfare clauses in the Welfare Reform and Work Bill, as initially introduced at Westminster — not as they ended up or were delivered. Thirdly, there is the draft Welfare Reform (Northern Ireland) Order 2015. Fourthly, there are the enhanced payments from the agreement announced yesterday. I will try to cover each of those in my contribution.

Ulster Unionists regret the delay in dealing with the significant and important issue of welfare reform; the failure of the Assembly to deal with it; and now, finally, passing the buck to Westminster to deal with it. Just to remind everybody: we were talking about the 2012 Welfare Reform Act almost three years ago. We have had three years to show our political maturity and to take political decisions, but what are we doing? We are now deciding to pass the buck to Westminster, and that does not bode well. The issue has been here for a long time, and we really should have dealt with it ourselves. Indeed, Ulster Unionists had amendments down since 2012 to try to deal with welfare in a mature fashion. Those amendments were on issues such as the bedroom tax, which we felt was inappropriate, particularly as no alternatives were available. We now find that, by failing to deal with welfare reform, we have all had to suffer. Everyone in Northern Ireland has had to suffer. We faced financial penalties in each of the last number of years, and that has adversely affected a wide range of services. I suspect that it primarily affects health, but it also affects education and roads.

**Mr Dickson:** I thank the Member for giving way. As regards the bedroom tax, the new agreement is over four years. We all had serious concerns, over six years, about what would happen when we fell off the edge of the cliff. Even though we had mitigated the bedroom tax in the previous Bill and there is more money for further mitigation, the reality is that the bedroom tax element will fall off the cliff in four years' time instead of six years' time. That seems to be an amazing achievement for the two parties.

**Mr Beggs:** The Member makes a valid point, and I will deal with further mitigation, because there is even a question mark over that.

I am talking about delays in introducing the 2012 Welfare Reform Bill and the failure to deal with it maturely in the Assembly. That was certainly not helped by the then Social Development Minister, Nelson McCausland, who brought forward the unamended, unchanged legislation that had been improved at Westminster, which included, for instance, reference to those who had suffered in the London bomb, but there was no regard for those who may have suffered here over past decades. Clearly, there was an imbalance.

There then followed a long delay, and, earlier this year, following the Stormont House Agreement, the welfare reform legislation started to flow properly through the Assembly. That came through the Stormont House Agreement, which was a cross-party agreement. Almost immediately, there was an apparent U-turn by Sinn Féin on what everybody thought had been agreed. Sinn Féin moved from costed, affordable measures to the irresponsible politics of blank cheques.



I have a couple of quotes. This one is from Conor Murphy, who said on 11 March:

*"We stressed that any movement away from full protection for current and new claimants would not be agreed by Sinn Féin."*

Martin McGuinness said on 9 March of this year:

*"Until such times as the Minister can produce a scheme for agreement which gives effect to the intent of the Stormont House Agreement by providing full protection for current and future claimants, Sinn Féin will not be in a position to support the Welfare Bill going through the Assembly."*

The concern of everyone, including senior officials at the Department responsible for administering social welfare benefits in Northern Ireland, was that that position is not technically achievable. It is impossible to deliver. How do you calculate the difference between what someone might have got a year ago and what they might get in 10 years' time? The position is totally unachievable and unaffordable. The U-turn, when it occurred, turned the Assembly Budget into a fantasy Budget, and there is now a major financial crisis working its way through every Department.

Another implication of not approving the new system and trying to maintain current benefits is that we would need to maintain the ageing UK computer system, which is decades old and due to be turned off in 18 months' time. We were eventually told that, if we wanted to maintain that system, it was highly questionable whether that would even be technically possible. We could revert to a paper system, but, of course, that would be irresponsible, as many mistakes would occur and there would be huge delays. Alternatively, we could have bought an all-singing, all-dancing computer system, to be delivered in perhaps three or four years' time at a cost of £1.5 billion or £2 billion. These were the decisions facing us. Yet there was not the political maturity to take the difficult decision simply to move largely to where we are today by accepting the welfare reform legislation in 2015 and building in some mitigation through amendments so that we could work with the new computer system and produce deliverable and affordable measures of mitigation to protect the most vulnerable in our community. That Bill fell before the summer.

After the summer, the Secretary of State commenced talks at Stormont House. I personally attended on four or five occasions when welfare reform was being discussed, but there was no meaningful discussion of those pertinent issues. Then, suddenly, what do we find, out of the blue comes the two-party, DUP/Sinn Féin agreement, published yesterday. It really was out of the blue. There was no prior sight of it or notice of some of its implications. I got a copy late yesterday evening and spent the evening going through each of the 67 pages, trying to understand it and its implications, particularly for this motion, which I heard rumoured for today. I went to the Business Office before leaving the Assembly last night between 5.30 pm and 5.45 pm and inquired whether the motion was available. It was not.

The motion was published, and, for the first time, I became aware of the draft Welfare Reform (Northern Ireland) Order 2015. Prior to that, I was unaware of its existence. In fact, I tried to google it this morning and could not come across it anywhere. I thank the Minister for letting me know that

it is on the Northern Ireland Office website. That is good to know, but we are in the middle of the debate now, and I have had little chance to consider its 126 pages. Hence I supported a delay to allow for proper consideration. After waiting three years, surely one more week to understand properly what we were doing and proposing to pass from this House to Westminster would have been appropriate and reasonable. Nonetheless, I respect the decision of the Assembly. Sinn Féin and the DUP have voted everybody else down and decided to push on regardless of others' lack of knowledge. I noticed that some of your colleagues were waving, presumably, that document: I am sorry; I did my best. I did what was reasonable to try to find out what the motion was about and find relevant documents, but I was unable to identify them prior to the debate.

Consenting to pass this over to Westminster is a clear admission of a lack of political maturity. Any reasonable person could have worked out that we would end up here at some point; that we had to implement the 2012 Welfare Reform Bill and make adjustments that were affordable. Sadly, some chose to ignore that, and they have now, finally, agreed to pass it over to Westminster. Maybe they do not want any fingerprints on it, but, in passing it over, they are passing that responsibility elsewhere: they have the responsibility for having taken that decision.

I was listening earlier and may have missed this, but it would be helpful if the Minister could confirm whether all the amendments agreed by the House in the passage of the 2015 Welfare Reform Bill will be implemented or whether it will go back to the original Bill as introduced in 2012. Can he confirm that all the amendments approved by the Assembly up until the Final Stage are included; is that what we are talking about? I want clarity on that issue.

Mr Dickson mentioned the enhanced welfare packages earlier. It is important that we look very carefully at them. When you look at what was proposed originally, and I am looking at what was proposed for the year 2016-17, you see the numbers are around the same. For the year 2017-18, the numbers are roughly the same. Originally, £96.7 million of mitigation was to be built in for welfare; the new proposal is for £90 million. In 2018-19, there was originally £134 million-worth of mitigation built in for welfare; the new proposal is for £90 million. That is £44 million less. I acknowledge that mitigation has been built in for tax credit, but it is strange that those who turned down £134 million in mitigation for 2018-19 a few months ago are now content to approve mitigation of £90 million. That is what is happening. Nobody knew what was coming, but, nevertheless, a higher level of mitigation was turned down.

Why did we, as an Assembly, not have the political maturity to take decisions to deal with the difficult issues, the real political issues, ourselves and deal with them in a timely fashion? That would have been much better.

I will now turn to another aspect of the motion. It references the welfare clauses of the Welfare Reform and Work Bill, as initially introduced in Westminster. I want an explanation of why this has been introduced in this way and why it has to be expedited even before it becomes law in Westminster, bearing in mind, of course, that I would have thought that there is the likelihood of some amendment occurring to that legislation? Why are we approving legislation that has not yet been finalised?

One particular aspect of that Bill is the effect that it has on tax credits. I and many others, and indeed many politicians in the rest of the United Kingdom, have expressed concerns about it. The key issue is the proposal to cut tax credits significantly for those on low incomes. The explanation from the Chancellor was that there were increasing tax thresholds and that individuals would be paying less tax.

The minimum wage would increase, so it would all balance out. It very soon became apparent, however, that the tax credit changes were moving much too fast and that those on a low income would be significantly worse off and, as a result, would not benefit from the increase in the tax threshold and the minimum wage enough to balance out the cuts. That is a live discussion that is still going on at Westminster and even among some key members of the Conservative Party who have concerns about it. If that is a live discussion — we all await a Chancellor's statement — why is it proposed to give consent for the Assembly to pass this over to Westminster to take the final decisions on it? I find it very strange. Why give consent for further changes that have not yet happened and — who knows? — may not even happen?

### 1.30 pm

I turn to the proposals in the published document. The mitigation for tax credits is flat at £60 million. Why is it flat at £60 million? From following up concerns about the current proposals, my understanding is that the earlier years, before the minimum wage increases and another tax threshold increase, is the time when those who work on low incomes would be most significantly adversely affected. Why are we not at least trying to deal with that issue by providing a higher level of protection at the earlier stage rather than this flat £60 million?

As I said, I have concerns about the delays; the speed — not even in the last 24 hours but the last 18 hours — with which this has moved; the lack of information available to Assembly Members to allow them to come to a reasoned position; and the fact that the motion approves draft legislation that may not end up being the final legislation. For all those reasons, I have great concerns about what Sinn Féin and the DUP are trying to rush through the Assembly today.

**Mr Dickson:** Thank you, Mr Principal Deputy Speaker, for the opportunity to speak on the motion. The last time that I spoke on the matter, it was with a feeling of utter exasperation and déjà vu. I can report that those feelings have not gone away or changed. Nothing much has changed in the intervening five months. I do not feel any more optimistic today about welfare reform than I did five months ago.

This comprehensive agreement, plus the welfare reform proposals, are described as “a fresh start”. They are about as fresh as a student's bag of rugby gear after a game. What we have is a sticking plaster and another crutch for us to limp down the road to the next existential crisis that will leave Northern Ireland, our citizens and our businesses in limbo for months on end as we wait for two parties to show some sort of leadership or to tire of the current round of grandstanding. They certainly seem to have tired yesterday.

As others have said, we have not truly been given the chance to look at the agreement or, particularly for this debate, the elements of the welfare Bill. We are told that we know all its content because it has been debated in the House: that is true, but, in transposing the Bill to another place, the House has given up control of that debate. For me, that is a fundamental issue. Earlier today, we debated the merits of delaying for a week, and, like others, we supported that in the interests of good governance and of what my party colleagues on the Executive said yesterday. That would have allowed us, at least, to have the opportunity to properly scrutinise the document, which many have found difficult to find. I have it in front of me in electronic form, and it is long and detailed. One of the questions I have for the Minister is whether he will bring the detail of the Bill to the Committee so that we can have an opportunity to discuss it. Will he bring the regulations that will flow from the Bill to the Committee for discussion? Even though we were prepared to support the Bill and supported it in its final form, we look forward to the opportunity to re-examine many of the issues. Perhaps the Minister will tell us that all has been denied to us.

We would have greatly appreciated the opportunity to respond to each aspect of the deal, particularly on welfare reform. Today, we have been issued with a document and have been told to sign it off virtually before we have even read it. There is a reason for that which others have alluded to: this all has to be concluded before a particular party's conference this weekend.

I turn now to what might be described as the Sinn Féin/DUP new Christmas parlour game. It is called “pass-the-parcel legislation”. Five months after the fall of the original Welfare Reform Bill, we have an acceptance of that Bill by Sinn Féin, just as it did in December 2014. In the interim period, our Budget and, ultimately, the integrity of this institution were worn down to ridicule through a reluctance to move on matters that could destroy power sharing. Sinn Féin has sought to distance itself from any responsibility at all through the bizarre use of a legislative consent motion, despite the primacy of the Assembly in this area of competence and that party's outrage at the use of that mechanism to, for example, permit the National Crime Agency (NCA) to operate in Northern Ireland.

Martin McGuinness told us that it would be a mistake for Westminster to directly legislate on this matter: will he tell us what has changed? Essentially, a decision that can and should have been taken by the House is being outsourced to Westminster to reduce the collateral damage that Sinn Féin could incur from taking difficult decisions. I am sure that the smoke and mirrors that that party is well used to living through and behind will be well seen through by their probably now former anti-austerity friends north and south on this island. What a ridiculous precedent to set. MLAs of the second largest party in the Assembly have shirked their responsibilities to take serious and perhaps unpopular decisions for the overall good of their constituents.

I really despair at this juncture. The road to a prosperous and united community in Northern Ireland is fraught with difficult decisions — difficult decisions that my party is prepared to take but, clearly, others in the House are not. Just like Sinn Féin's refusal to sit in Westminster, its MLAs appear to be placeholders rather than public representatives. They are afraid to take difficult decisions and are walking away from those decisions. They are

working hand in hand with the DUP, which has what might be described as a devil-may-care attitude to devolution — in one day and out the other.

We see no meaningful decisions being taken on spending, taxation and the legacy of the Troubles. There is a clear lack of leadership and, of course, we have seen that across other parties as well, with the opportunistic departure of the UUP and the DUP's crazy ministerial in-and-out strategy, which pandered to the extremes of unionism rather than doing what is best for Northern Ireland.

This country needs sound public finances and a well-resourced and fit-for-purpose public service. Two parties are certainly not serving that to us today.

**Mr Storey:** I thank the Member for giving way. I have listened to the Member through all the hours in which we in the House debated welfare ad infinitum, hours upon hours, and that was only the contribution from West Belfast Member Mr Attwood. However, Mr Dickson was always supportive. Can he tell the House what he actually disagrees with? It has been agreed to mitigate the more severe elements of welfare reform, to help families with working tax credits, to ensure that we end the penalties and fines, and to pass legislation that should have been passed in 2012, and we are now in 2015. We are going to do all of that through this process; we are going to have all the amendments that were agreed in all the debates in the House. So what is he actually saying that he disagrees with?

**Mr Dickson:** In a sense, that is very simple. My party colleague Stephen Farry said earlier that we will support the legislative consent motion to allow through what has been debated in the House. However, I am trying to castigate the failure of the process that has taken us to this point. We should have made that decision when the Bill was in the House. I make no apology for saying that. The mitigation had been achieved. The bulk of my words here are to say that no one can understand what Sinn Féin Members were actually about in respect of those matters. They —

**Mr Storey:** I thank the Member for giving way. Let us not allow the SDLP to get out of the mist that I noticed it said, in one programme last night, was over this Building. Let us always remember that when I brought the Final Stage of the Welfare Reform Bill to the House, two parties brought it to its knees, not just one party. Now that party, the SDLP, from which we will no doubt hear later, will try to wash its hands clean of what it did in the past to stall the process. That brought us to the point where we are today.

**Mr Dickson:** I agree with the Minister, but it is not my job to speak for other parties or, indeed, their ability to change their mind or, perhaps to put it more strongly, renege on agreements that were clearly made.

The Alliance Party believes that we must urgently fix the shambles that is our Budget, and some steps have certainly been taken to do that. However, doing so requires a great deal more than the mess that we have been in for the last number of months. We need clear financial management and a real strategy for growth, stability, skills and education. If we are truly to save on our welfare budget, we need to be able to implement those items in this community. These are the things that we need to do: strengthen this community for growth, provide for stability and deliver skills and education. That allows us to foot the resource for welfare and to direct that resource

where it should be: to support the most vulnerable in this community.

I have said that we will support the motion, as it represents the Bill that fell in May. We understand other parties' concerns, particularly in regard to the constitutional and institutional implications. I genuinely understand how other parties feel about that matter. However, it would be unrealistic of us, having stated in the past that we supported the Bill, not to support what is going on today. This is not an endorsement of a deal but a demonstration that the Alliance Party is committed to solving the welfare reform crisis, as it has been for many years, and to placing Northern Ireland's future on a sound economic base.

I have questions for the Minister, and I will repeat some of them. Can the Minister assure us that the new computer system will be operational with regard to the Bill and that those items that the Evason group brings forward will have to operate consistently with it with no additional cost to the computer system? In the previous discussions, one of the fears that we had with the Bill was the cost of transfer from one computer system to the other and the assertion by the Department for Work and Pensions that the new computer system would require us, with very little wriggle room, to operate the welfare regulations as they are in the rest of the United Kingdom. I am looking for assurance that, when the Evason group brings forward recommendations, they will be implementable and financially consistent with the new system.

**1.45 pm**

Will the Minister also outline for us today exactly what will happen with regard to —

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

**Mr Dickson:** Yes.

**Mr McKinney:** Will the Member perhaps reflect on what assurances he has had or understands that that will be the case?

**Mr Dickson:** That is what I am trying to ascertain from the Minister now: whether the Evason group will bring forward recommendations — many of which were already in the Bill with regard to mitigation, although I accept that some of those will be with regard to tax credits — relating to welfare reform that will be implementable through the new computer system and that that will be at no additional cost. At the time, the cost that was quoted to the Committee was excessive.

**Mr McKinney:** Thank you for giving way again. I appreciate your giving me the time. Given that you raise such a fundamental issue, how can you say that you have already decided that you are going to vote this through?

**Mr Dickson:** The reality is that, unless we move forward with this today, we move back into the financial crisis that we have been in for some considerable time. Earlier today, we heard the Finance Minister tell us, with some exasperation, that she was at least able to rebalance her Budget today, and that is based on the figures that have been given in respect of the Bill.

I am incredibly concerned about the way in which the Bill is being handled and the fact that it has been passed to another place for scrutiny. I am looking to the Minister for assurances that appropriate scrutiny time will be given to the Committee, particularly in respect of the

regulations, because, to use that well-known phrase, the devil is in the detail. We should remember that it was the detail of the regulations that came to the Committee that finally persuaded Sinn Féin to renege on the agreement that everybody else thought that they had earlier this year. Therefore, it is important that we have a clear understanding of what the relationship is between the House and the Westminster Parliament that will now deal with the Bill and the legislation, and how the detailed regulations that flow from that will be determined locally in Northern Ireland.

I see that the Minister wishes me to give way.

**Mr Storey:** In my concluding remarks, I will come back to some of the specifics that the Member raises. However, I just want to say something about how the process has been guided. The First Minister and I have repeatedly said this, and those who were privy to the ongoing talks prior to and during Stormont House and Stormont Castle and, subsequently, since: any arrangement or any deal had to be within the financial envelope; it had to be legally competent; and it had to be practicably deliverable. In relation to this agreement, we have endeavoured to stay within that parameter, and I think that that extends to the work that Professor Evason is going to undertake in relation to the panel. I will give some more detail in my concluding remarks, because the Member raised a number of other points. However, it is important that we set that as a context, because what is this all about? It is to achieve those three objectives in very difficult and challenging financial circumstances and in the political realm of the challenges that we have had over the last number of months.

**Mr Dickson:** I am coming to a conclusion, Mr Principal Deputy Speaker.

Given those three very important constraints — important constraints, it seems to me, that Sinn Féin was not prepared to be restricted by some five months ago — I challenge Sinn Féin to understand what it is that has changed to allow it to do a volte-face — to turn around today. That is the interesting question for it.

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

**Mr Dickson:** Yes.

**Mr Beggs:** The Member rightly highlighted the difficulty that arose when the regulations came before the Committee. Does the Member agree that it would be useful to know whether, when the legislative consent motion goes through, which I understand will delegate powers over social security and welfare, probably for the remainder of this year, all the regulations will be put through at Westminster? Does that mean that the Committee will not be able to see, adjust or make a choice on them? Would it not be helpful to have clarity on that issue so that we do not find ourselves back here again when someone finds a difficulty with some of the regulations?

**Mr Dickson:** I share Mr Beggs's concern about that. As he has heard, that is a question that I have raised with the Minister today, and it is one that I trust he will be able to answer when he responds to the debate.

Ultimately, I have to express my despair at the fact that it has taken us five months to get here and that this institution is to abandon its responsibility to legislate in this area. I find that incredibly disappointing, as, I am sure, will

those who are listening to the debate. The Assembly, with the Bill that we had in the Chamber, did its very best to protect —

**Mr Humphrey:** I am grateful to the Member for giving way. He talked about the last five months, but does he not agree with me and other Members that we have been debating this for three years? As Assembly Private Secretary to two Ministers, I have listened intently to the speeches and the contributions — mostly positive — that the Member has made during that time. The Member made the point that he is voting for this, despite his reservations, to stop sliding back. Considering the cost of the financial penalties that we face paying in Northern Ireland and the protections and mitigations that have been negotiated to protect the people out there — some of the most vulnerable people in this kingdom — surely that is the right thing to do, despite the reservations.

Alliance and my party are the only parties that have been consistent on the issue. Alliance is voting for this because it realises that, if we do not have this agreement and do not vote it through, the realpolitik is that we will not have the protections in place and will have unmitigated Tory cuts imposed here over the heads of the Assembly, the people of Northern Ireland and the people they elected to this House. That is the reality we face. Finally, does the Alliance Party support the package and the protections of benefits in it?

**Mr Dickson:** I sat on a number of occasions with the Secretary of State during the discussions that took place at Stormont House, as did other Members. I heard her very clearly issuing the threat that, if the discussions did not resolve welfare reform, she would, indeed, legislate. She was not prepared to give a clear answer on whether that would mean pure rest-of-the-United-Kingdom welfare reform, but it was clear to me that that was what she was hinting at. Sinn Féin has come perilously close to allowing that to happen through the way in which it has abdicated its responsibility for dealing with the Bill and their failure to negotiate a Bill in this House rather than allow what many of it sees as the unacceptable face of the United Kingdom in the form of the Tory party.

We have to act consistently, and the Alliance Party and I intend to do so with this. We have negotiated our way through welfare reform for a great length of time. It goes back to the time when our Member of Parliament was involved in the debate in the House of Commons and proposed a great number of amendments to the legislation. Ultimately, much of that was defeated in the House of Commons by democratic decision. A Bill was presented here, and a great deal of time and effort was put into negotiating on it and negotiating mitigating figures. I have questioned the mitigating figures as they stand today, and I honestly do not believe we are much better off or any better off than we were when the Bill was on the Floor. Some things have changed, but they have changed because of tax credits.

When Professor Evason and others start to crunch the numbers in that respect, they will find two things: the mitigation that Sinn Féin has vaunted as a success is probably little different from what we had when the Bill came, and, when it comes to the Budget, the reality is that the DUP has given away more of departmental budgets to provide a small amount of additional cover. It is important that we spend money on welfare, but it has to be borne



in mind that every penny extra that goes into welfare comes out of education, health and every other budget in Northern Ireland. The debate about how we balance those issues should be in this Chamber; it should not have been handed away to another jurisdiction.

**Mr Principal Deputy Speaker:** This seems like an appropriate time to break for a lunchtime suspension. I propose, by leave of the Assembly, to suspend the sitting until 2.25 pm. The first Member to speak when we return will be Mr Alex Attwood. The sitting is, by leave, suspended.

*The debate stood suspended.*

*The sitting was suspended at 1.56 pm.*

*On resuming —*

**2.25 pm**

**Mr Attwood:** In starting, I want to acknowledge some people and some things. First, as everybody has said so far in this debate on the LCM, arguably, and very probably, the single best servant of those on welfare in Northern Ireland is Professor Eileen Evason. The responsibility that she is now to be given is an immense one. Given the frenzy around welfare and tax credit reform, its impact on an area like this, the proposed mitigation fund and how that will be dispersed among growing numbers of people in need, it is a responsibility that, arguably, no one else could undertake, save Professor Eileen Evason. It is clearly the wish of the House to wish her well in that undertaking, because the judgement calls and the responsibility will be immense, but there is no better person to live up to it. In my short time in the post that the Minister now holds, we contracted Eileen Evason to come in to the Department, I think, two days a month back in 2010. That was done for the simple reason that we needed her guidance and authority as we anticipated what may or may not happen with the Tory welfare agenda. It is timely and welcome that she will play a more central role in that regard.

Whilst the Minister and the SDLP will differ on the LCM today, I want to acknowledge again that the level of qualitative engagement with the Minister on this issue is different from what had been the case heretofore. I have a sense — I am treading very gently now — that he might not have been free to do all that he wanted to do in the quantity and quality of that engagement, and I am not putting words into the Minister's mouth. Nonetheless, I acknowledge that, when we submitted papers, there was a full response on many issues, albeit silence on others. The Minister knows what I am referring to. Nonetheless, increasingly at an official level, and certainly at a ministerial level, there was better engagement on this issue than on some others during the process of the talks that have now concluded, and I want to acknowledge that. That is something to build upon, because wherever this goes over the next while, our job in the Assembly and, certainly the SDLP's responsibility, will be to apply our best minds, if we retain any, and judgement to ensure that the best outcomes are secured in the circumstances that we now face.

I am sure that all parties made submissions in the recent talks process, although I am not sure what those submissions were. I know what our submissions were, and I know with which parties and which Governments we shared papers and documents. However, there was a lack of return of papers in that regard. I presume that everybody was arguing that there needed to be bespoke enhancements to support those on welfare and tax credits. As far as it goes, we acknowledge what is in the proposals. We would like to have seen more bespoke interventions, more money and more done, but we are not going to naysay what is there, even though you can interrogate the figures and try to make sense of them.

To some degree, it is hard to make full sense of the figures, including the core issues of what more is coming into the Northern Ireland Budget, what more is now being spent from the Northern Ireland Budget, and what the net gain is in that regard. Some assessments suggest that there is a net deficit, as well as the other deficits in the proposals that emanated from the DUP and Sinn Féin yesterday,

such as those in investment in skills and infrastructure, taking forward the needs of the western and southern counties, disadvantaged areas, the north-west, the city of Derry, city deals and all of that.

It may come as a bit of a surprise to some people in the Chamber that, as somebody said earlier, the election of a Tory Government changed the game for all of us. If you look at Hansard, you will see that, time after time, a number of Members, including the SDLP, in welfare debates in the earlier part of this year, put down very full markers about what the intentions would be on the far side of the election if there were a Tory, or Tory-led, Government. The game may have changed for some in here with the election of the Cameron Government for a second time, but we warned, if it came, what the consequences would be in that regard.

I want to reassure you, Mr Deputy Speaker, that all my comments today will be embedded in the content of the motion before the House. I will try to address the following: the principle of an LCM; the Northern Ireland (Welfare Reform) Bill 2015, referred to in the LCM; the Welfare Reform and Work Bill, referred to in the LCM; the draft Welfare Reform (Northern Ireland) Order, referred to in the LCM; as well as the issue of payments. I want to reassure you that all my comments will revolve around, and address, all that.

I will make this really marginal remark, but it tells you something in general. If you look at pages 34 and 35 of the agreement that emerged yesterday, you will see that it moves from paragraphs 18, 19 and 20 and has no reference to paragraphs 21 to 55, because they were all lost in the issue of the past not being addressed. The fact that the document is so silent in relation to that matter — that the issue of the past is reduced to eight lines/four paragraphs — is a very sobering commentary about how the talks ended and how so many people outside, if not inside, the Chamber are disappointed that paragraphs 21 to 55, which were meant to be in the draft document, are now redacted for many reasons, although the primary reason may be because of those who have responsibilities in state organisations and, in our view, illegal organisations, continuing to deny responsibility, truth and accountability in respect of the past. In that regard, it is a matter of regret that so little is in the document — as opposed to what should have been in the document — about dealing with the past in a comprehensive and ethical way.

I echo the remarks made by other people this morning that we should not be in this place today and rushing through an LCM. In the document released by the DUP and Sinn Féin yesterday, they refer to the fact, and the narrative in the document states explicitly, that an LCM would be required “no later than next week” and no later than 23 November, which is next Monday, and the fact that the Assembly has been put in the invidious place of having to address this matter today. By the DUP and Sinn Féin’s own hands, in a document issued around this time yesterday, they declared that the matter needed to be addressed by the Assembly next week or next Monday.

I do not understand how, on one hand, two parties can declare that next week is, in their terms, sufficient and good time to address this matter yet we were reduced to the Assembly and its Members waiting until whatever time last night to get a copy of the motion that is before the Chamber today. Even that motion, in some parts, is hard

to make sense of, for reasons that I will touch upon. That is why Alliance and the SDLP were quite right yesterday to reserve judgement on all this.

This Chamber is a consequence of democratic struggle to secure democratic institutions in a democratic Ireland, and this Chamber has been reduced today to being a messenger on behalf of the DUP and Sinn Féin for those Tory elites in London who have ambitions on welfare and work that we have not seen the half of yet. The Chancellor is preparing himself and anticipates becoming Prime Minister by 2019, and we will then see the full measure of his dogma and ambition. How dare anybody reduce this Chamber to a postbox after the years of democratic struggle and the pain and grief suffered by our people and allow this now to be the statement of democratic mandate? There are people who claim a democratic mandate, and rightly so. How dare they take away from all the rest of us the democratic mandate that we earned over many decades when there were people not far from this place who chose to put all of that in jeopardy? It is a sorry state of affairs that we have reduced our democracy to the shallow folly that we see before us today.

I do not know what it is in full that we are voting on, because, as we know, in the last number of hours, a draft Bill and a draft Order in Council have been produced. It is utterly bizarre that, as this debate began, the NIO posted on its website a draft Order in Council running to all these pages.

**Mr Allister:** It is 126 pages.

**Mr Attwood:** Sorry, it is 126 pages. What respect does the British Government have for our democracy when, as this debate began, they chose to publish a Bill of that scale? That Bill is explicitly referred to in the legislative consent motion. How dare they do that. In the course of the negotiations —

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

**Mr Attwood:** I will.

**Mr Beggs:** Does the Member accept that the British Government have done nothing wrong in publishing the document but that what has been done wrong is including in this legislative consent motion reference to a document that we are not aware of? It is those who have tabled the motion today before the document is published who have done wrong.

**Mr Attwood:** Yes, they have done wrong, but in doing that wrong, they have partners in the crime, namely the British Government and, in particular, the Secretary of State. During the negotiations, on one opportunity, I had to say to the Secretary of State — this was in plenary format — how dare she compromise the hard-won democratic gains of policing in Northern Ireland. That is what was being proposed in some of the clauses in the legacy Bill. I say this to the Secretary of State again today: how dare she show disrespect to our democratic mandate and to these democratic institutions by being a partner in responsibility for this LCM. The LCM would not go anywhere if, on the far side of it, the Secretary of State did not have that draft Order. It says a lot about those who brought this situation into effect.

In any case, we are being asked to vote on a legislative consent motion and have only now begun to get sight of its core content. There has been no checking of its content, and the Committee for Social Development has not been

consulted on its content. Save what happened at the Executive meeting yesterday, there is no Executive view on its content.

Would anybody in the Chamber permit that to happen for any other policy proposal or legislative intervention? Would Sinn Féin allow a legislative consent motion in these terms for legacy mechanisms? Would any other party do anything like that if the British Government or parties in here decided overnight that a legislative consent motion would come before the House to push on with some policy intervention, not least on legacy legislation?

What is the scale of what we are proposing? The legislative consent motion is not just for those matters in the legislative consent motion. It is not just to do with the Welfare Reform Act 2012, the Welfare Reform and Work Bill and the interactions, whatever they are, for the additional support.

It also covers any secondary legislation. Paragraph 3.2 in the proposals yesterday states:

*“The Assembly will approve a consent motion no later than next week”*

— even though it is this week —

*“to enable primary and secondary legislation to make changes to the welfare system to proceed at Westminster.”*

We are not only handing over our responsibility for primary legislation but, according to that paragraph, handing over our responsibility for secondary legislation. I say this to the Minister: in the event of a difference of opinion on secondary legislation and the regulations, whose will prevails?

It may be that we will have some knowledge of what the primary legislation is going to be, because of the various publications that have come forward in the last few hours, but what is the situation with the regulations? Therefore, we have handed over, even if only to the end of 2016, lock, stock and barrel, our responsibilities in the 2012 Act and the 2015 Bill. That is what we have done: handed over lock, stock and barrel our particular statutory responsibilities. Is that how some in the Chamber value our democracy?

I think that there has been form on this. When the people of Ireland endorsed the Good Friday Agreement and put in place mechanisms to secure power-sharing, in particular the d'Hondt mechanism to allocate Ministries, all of that at St Andrews was unpicked. Those who unpicked the democratic will of the people of Ireland and put in place mechanisms that served their interests have today gone further. They have unpicked the Good Friday Agreement and the Northern Ireland Act and are putting in place mechanisms, for reasons that I will explain, that serve their interests, in order to wash their hands of something that should be very much the work of Members of the Assembly.

I do not understand how any party can so casually and out of the blue surrender our democratic legitimacy to a Westminster Government when people are arguing that we should have the devolution of more powers.

We are going in the opposite direction to Scotland. As Scotland goes for devolution plus, we go for devolution minus, sending the message to London that, when the going gets hard and London faces us down, rather than

face our people with the decisions that we should make in a democratic way in this Chamber — even if we do not like some of the decisions — we send the message to London that it is game on for the further erosion of our democratic institutions and that which was so carefully and with craft embedded in the Good Friday Agreement.

## 2.45 pm

We were the only part of the devolution arrangements that had devolution of welfare, in order to demonstrate that we were going to be of a significant character when it came to our legislative and policy authority. On a whim, overnight, on the basis of what two parties decide, that will be surrendered. Let me put it mildly: that is an act of the gravest political abdication of responsibility that we have seen in these places when it comes to our statutory function in many a long day. Then, as if to cover some sense of embarrassment, what do the DUP and Sinn Féin put into the proposals? I say this with a straight face, Minister:

*“The UK Government legislation will not diminish the legislative competence of the devolved institutions.”*

Will someone reconcile for me how London legislating for the 2012 Act and the 2015 Bill — I will come back to that in a minute — accord with not diminishing:

*“the legislative competence of the devolved institutions”?*

Had I drafted that document, for what it is worth — it is probably not worth very much — I would not have put in paragraph 3.4; it is just an advertisement of what is folly and what is false. It would have been better not said at all than said in such a crass way.

What we are witnessing with the LCM — this is really an irony — is a variation of the DUP's failed policy of being in and out of government. We now have a situation where the DUP/Sinn Féin variation on being in and out of government is being up for a bit of government and not for the rest. That is political leadership in the year 2015. Once again, where the DUP went, in my view, falsely — I think it might recognise that itself — with being in and out of government, Sinn Féin has followed with, “Let us be in on some of our law but outside in many other aspects of it”. This is a calculated dereliction of political responsibility and, if it is not that, it is just downright evasion.

We are told that the reason why the LCM has to come forward today is that there is not enough time to get it through in the mandate. That is the assertion. It is an argument that we have to face up to, because we do not have much time left. The Business Office and the Bill Office will be overwhelmed with legislation and so on and so forth. However, let us remind ourselves of a previous time when there was immense turbulence and difficulty in and around the Chamber and in the Northern Ireland Government, when there was no devolution of justice and policing and when we were told that that was about to bring the institutions to collapse. People were grandstanding in relation to all of that, and others were trying to craft a good outcome in respect of it. How quickly was the legislation passed for the devolution of justice and the creation of the Justice Department? The First Reading of the Bill was on 14 September 2009, followed by the Second Reading on 22 September, Consideration Stage on 10 November, Further Consideration Stage on 23 November and Final

Stage on 1 December. Between First Stage and Final Stage of this enormously complex and difficult-to-manage legislation, which had all sorts of political consequences and connotations, there were 12 weeks, if my maths is right. Between Second Stage and Further Consideration Stage, there were 10 weeks. As far as I am aware, we have at least 10 weeks until the dissolution of the Assembly in advance of an election, so the argument that we do not have enough time is a false one.

When the DUP and Sinn Féin wanted to make enough time for the devolution of justice through the creation of the new Department — they were right to do so — we found the time and got the Bill through in good time. Indeed, we had a lot of good debates in the Chamber; I remember proposing a lot of SDLP amendments. The issue of time is a smokescreen. We have a good example of when we can get these things done. There are procedures in the Assembly to bring back legislation, which demonstrates that you can do it and do it in good time.

**Mr Storey:** I thank the Member for giving way. I have listened carefully to him, and I will come back to some of his comments when I sum up. Do he and his party — I tried to make the point earlier — wash their hands of the crisis that they created by signing a petition of concern? When I stood in the Chamber to move the legislation that would have brought welfare reform to Northern Ireland, the SDLP signed the petition of concern that led to the delay and the difficulties and compounded the situation, as opposed to what the Member is trying to tell the House today, which is that somehow the problem is with everybody else.

**Mr Attwood:** We do not wash our hands of political responsibility for how we have addressed and tried to manage the issue of welfare reform arising from the 2012 legislation. No, we do not wash our hands of responsibility for what we did. The record proves that we were consistent in our arguments and in advocating petitions of concern at critical junctures. We were consistent: you may want to ask others why they were not consistent before and why they are not consistent today. Maybe we will get an answer in the next short while. The issue is not that we washed our hands of the crisis; we applied our hands to the issue. That is what the record demonstrates.

I ask the Minister to apply his hands and his mind to the legislative consent memorandum tabled this morning in respect of the LCM. I ask him to answer a number of questions. The memorandum says in the summary and policy objectives that:

*"In addition, agreement in principle has been reached to implement welfare aspects of the GB Welfare Reform and Work Bill as introduced in GB."*

They have not been introduced in GB; they are in Westminster as we speak. What are the welfare aspects of the Welfare Reform and Work Bill that have been agreed in principle? It is hard in the time that we have had this morning to assess the various pieces of legislation to answer that question. That refers to the document yesterday, which also speaks about:

*"a Bill in Parliament to allow for changes to the welfare regime in Northern Ireland, including... the welfare provisions only of the Welfare Reform and Work Bill as currently drafted."*

What does that refer to? If you look at the legislation that is before Westminster — I will get a copy of it in a second — you will see a group of clauses headed "Welfare changes". Those welfare changes stretch not just across welfare, but across tax credit issues. We need to know, and I think we need to know today, what is the agreement in principle. What welfare aspects of the Bill currently in Westminster are we agreeing to? We need to know what that means; otherwise, we are all jumping into the unknown. I ask the Minister to be very precise in that regard because, in my later comments, I will touch upon what I am sure some of that means.

I also ask the Minister to reconcile paragraph 7 of the memorandum of understanding with the LCM. That paragraph states:

*"The Welfare Reform and Work Bill 2015 is currently progressing through Westminster. NI will give due consideration to the need for local consultation on social security matters in this regard."*

I do not know how Northern Ireland gives due consideration to anything; I presume it means the Northern Ireland Executive or Government. Will the Minister explain what consultation there will be with Northern Ireland when, today, an LCM based on agreement in principle to implement welfare aspects of the Bill before Westminster will be passed? That consultation sounds very like, "We will tell you what you are going to get" as opposed to, "What do you think about what is being proposed?"

I also ask the Minister to explain paragraph 9 of the memorandum. You will not believe this, but this is what it says:

*"An equality screening exercise has been carried out and the Department for Work and Pensions is satisfied that the proposed amendments have no significant equality implications."*

That deserves to be read out again:

*"An equality screening exercise has been carried out and the Department for Work and Pensions is satisfied that the proposed amendments have no significant equality implications."*

Does that mean that DWP is masquerading as DSD? The Minister knows where I am going with this. Is DWP masquerading as DSD? It has always been my concern that, at times, DSD has gone in that sort of direction. Or is that actually true? Has DWP conducted an exercise on equality implications? If it is true, let us see it, because you have produced that in writing, Minister.

Let us see what it has said in its equality screening exercise. Let us see whether it was measured against the higher equality responsibilities further to the Northern Ireland Act 1998 in respect of section 75 and other sections. If DWP has somehow or other conducted an equality screening exercise in relation to London legislation when it should have been the case that that legislation came to this Chamber, who gave it the right to do that? If it assumed the right to do that, what was the exercise that it undertook? When was it undertaken? What does it say? Was it undertaken against the right standards; the standards of the statutory equality framework in Northern Ireland? How did it end up concluding that there were "no significant equality implications"?



We struggled over the summer — the Minister will be aware of this because, to be fair to him and his officials, they produced information in the autumn, during the early part of the talks — with how some of the welfare changes in the current Bill would impact on Northern Ireland by way of tax credits and so on. That is how we know that, when it comes to tax credits, the loss of spending power will be £800 million over the lives of the people who will lose working tax credit and child tax credit.

3.00 pm

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

How did it conclude that there are “no significant equality implications” when DSD says that that is the scale of the implications? It is an indictment of this place or of those who are responsible for this that they can serve up, in the heat of the moment, a statement like that, which says that DWP tells us the equality implications of its legislation, never mind the fact that we will not be given the chance to legislate for it. What a withering indictment of this place that we are reduced to DWP telling our people that there are no equality implications in its proposals.

My final point — I know that the Minister might not be able to answer all those questions, so they might be a little rhetorical, but I ask for answers — is to ask Sinn Féin a question, because its Members are the co-sponsors — political if not ministerial — of the LCM. This is what the memorandum says at paragraph 14:

*“There are clear benefits to individuals, their families, employers, taxpayers and communities as well as society if the reforms are successful. The proposals will deliver a healthier and more prosperous society with improved support to families and children and a ready supply of skills and labour for employers.”*

That is what the Minister’s memorandum says about the LCM that you are supporting. Unless the Minister corrects me, the LCM visits on Northern Ireland, without any proper legislative scrutiny — these are probably DWP rather than DSD words, but they are the words that Sinn Féin is signed up to:

*“clear benefits to individuals, their families, employers, taxpayers and communities as well as society if the reforms are successful.”*

Those reforms might well include tax credit reforms. Is that Sinn Féin’s position now? Is it that what London is proposing on tax credits will bring:

*“clear benefits to individuals, their families, employers, taxpayers and communities as well as society if the reforms are successful”?*

Let us look at what the reforms are about. There are 32 clauses in the Welfare Reform and Work Bill as drafted — 32 clauses. Subject to the caution that we do not know — subject to what the Minister might tell us later — precisely what the clauses are that have been agreed in principle but working on the basis that, as a minimum, the LCM captures the discrete welfare clauses in the Welfare Reform and Work Bill, let us look at what the LCM will mean for people in Northern Ireland in the welfare-specific clauses, of which there are a number, potentially clauses 7, 8, 9, 10, 11, 12, 13, 14 and 15.

I will start with clauses 7 and 8, which we have not looked at in the Chamber. It looks like we will not have much of a chance to look at them either, so we have to rely on good authority in Britain about what is being proposed. Clauses 7 and 8 refer to the benefit cap; I will get the Bill in a second and then I will be able to refer to it. This is what the Child Poverty Action Group says about those clauses, and, if I am right, this is what the legislative consent motion will do in approving those clauses in principle.

This is the consequence. It stated:

*“The benefit cap policy severs the historic link between what families need to live on – as assessed by Parliament in its setting of benefit levels – and entitlement. Lowering the cap would mean families could be left with less than enough for their basic needs, such as food and warmth. Evidence on the current cap suggests that fiscal savings have been small (under 4 per cent of the total savings to the social security budget) and the effect on movement into work weak. A lower cap would compromise the wellbeing of more children, as housing security is compromised, school life is disrupted and community links are broken.”*

That is what the Child Poverty Action Group stated is the consequence of clauses 7 and 8 of the Bill that is before Westminster, a Bill that, it appears, the LCM says we are agreeing to in principle.

What is our message to the child poverty groups in Northern Ireland or to the 3,000 families who will now have a benefit cap of £20,000? What is our message to them when, on a whim and casually, the Assembly says, it seems to me, that we are agreeing to that, without any assessment or scrutiny by any part of these Assembly structures?

The group stated:

*“A lower cap would compromise the wellbeing of more children, as housing security is compromised, school life is disrupted and community links are broken.”*

Of course, it is worse than that, and it is worse than that for the following reasons. Recently, Mr Agnew successfully passed a Bill in the Chamber in respect of children’s services. I want to quote from what the Supreme Court found in relation to that stuff. It was actually a former judge from here, Lord Justice Kerr, who was speaking as a member of the Supreme Court. The Child Poverty Action Group reported what the Supreme Court considered the fairness of the cap to be in relation to the rights of the child. It stated:

*“In arguments, it became clear that the government’s intention in introducing a cap was not to create parity between in- and out-of-work families but instead, to ensure that the income of out-of-work households was always lower to reinforce work incentives. The judgment called into question the fairness of the cap, with three of the five judges finding that, in introducing the cap, the government had failed to comply with the UN Convention on the Rights of the Child”.*

That was something that is in and around Mr Agnew’s Bill. It continued that two — two of the judges of the Supreme Court — found that the cap:

*“breached Article 14 of the European Convention on Human Rights.”*

That is how close the Supreme Court was to striking down that provision in law. The Child Poverty Action reported:

*"Lord Kerr said that 'it cannot be in the best interests of the children affected by the cap to deprive them of the means of having adequate food, clothing warmth and housing' and Lady Hale said the cap deprived children of 'the basic necessities of life' and made them 'suffer from a situation which is not of their making and which they themselves can do nothing about.'"*

Yet, Minister, we are being asked to support an LCM that, it seems to me, subject to correction, signs off on the benefit cap. That is what we are signing off on without any scrutiny, assessment, interrogation or having spoken to any of the relevant groups, never mind any of the relevant families.

I want to correct Mr Maskey, who referred to my having made some comments about the benefit cap. I want to read from paragraph 10 of our submission on welfare that was made during the course of the talks. Of course, it was curious that Mr Maskey was relying on what I was meant to have said when, during the course of those negotiations, Sinn Féin did not hand over any documents on anything until yesterday: not a document on the past, we did; not a document on welfare, we did; not a document on paramilitarism, we did; not a document on criminality, we did; and not a document on finance, we did.

We handed over a lot of documents. There were some that we handed only to the British and Irish Governments. This is what our submission said, in case Mr Maskey is in difficulty:

*"The benefit cap for Northern Ireland should be £23,000. The multiple differentials between Northern Ireland and Britain make a case for Northern Ireland, such as the case for the higher London cap due to housing costs."*

We did not make an argument for no cap. We did not make an argument for a cap of £20,000. We made an argument for a £23,000 cap. Let the record correct any assertion to the contrary.

I move on from the benefit cap with this point, to quote what we are signing up to. This is clause 8 of the Bill currently before Westminster, unless I am completely wrong. As far as I am aware, the Minister has not corrected my assertions so far, so I will work on that basis and take a chance that they are right. This is what clause 8 of the Westminster Bill states about the review of the benefit cap. Maybe some people are getting weary, but he will be weary again before I am finished. This is what it says about the benefit cap review:

*"The Secretary of State must at least once in each Parliament review the sums specified in section 96(5A)"*

— which is the benefit cap section —

*"to determine whether it is appropriate to increase or decrease any one or more of those sums".*

The keyword there is of course "decrease". Do you think that this Chancellor, especially if he is under Budget pressure as he prepares to campaign to become Prime Minister, is not going to take another slash at the benefit

cap? Does anyone think that "decrease" is the keyword there?

Anyhow, this is how the Secretary of State for Work and Pensions then carries out that review:

*"In carrying out a review, the Secretary of State must take into account ... the national economic situation".*

Now, who but the Chancellor wrote, "the national economic situation"? Should the economic situation go down, it may well be that the benefit cap follows it down. The Bill then states:

*"any other matters that the Secretary of State considers relevant".*

That is code for whatever the Chancellor Exchequer is telling you. That is in the legislation.

And then:

*"After carrying out a review, the Secretary of State may ... by regulations amend",*

the benefit cap:

*"so as to increase or decrease any one or more of the sums specified",*

in the section.

There is a quite awesome report from the Work and Pensions Committee at Westminster. I rely on it heavily. I have discussed it with officials in DSD. I know that they are considering its content at the moment, which is good because there is a lot of learning in respect of the Work and Pensions Committee's assessment of how universal credit and all of that has rolled out. The Committee is not consulted. Under law, it is not consulted about a regulation. The Secretary of State and DWP just have to take into account the national economic situation and any other matters that the Secretary of State considers relevant. Is there any reference there to child poverty? Is there any reference there to people's incomes? Is there any reference there to any of the empirical evidence that you need to have in order to make an assessment about whether a benefit cap should go up or down? Yet it seems to me that that is what this LCM does. Unless I am wrong, it gives a Minister in London the ability to assess the economic circumstances over there, decide whether £20,000 becomes £19,000 or £18,000 and impose that here. That is what this LCM does. It does not just raise questions about the benefit cap policy, it gives a British Minister the ability to say unilaterally, subject to regulation, "This is the new cap and live with it".

Have we not learnt anything from the past six months? The Tories said that the benefit cap would be £23,000 and £26,000, and then they came back in after the election and said that it would be £20,000 and £23,000.

**3.15 pm**

**Mr McKinney:** I thank the Member for giving way. In that context, will the Member reflect on what the group or committee that will look after mitigation here will do when it looks at that in the context of an envelope imposed from Westminster?

**Mr Attwood:** It makes the challenge to Eileen Evason and whoever works with her even more challenging. While they

will have a huge responsibility for the allocation of moneys based on whatever criteria, at the same time, DWP — not in Belfast but over in London — will be at its work. The lesson of the past six months is that, when needs must, the British Government will renege on what they say will be the situation in order to find more money to give it to those whom they want to give it to. You must draw the conclusion that, on the basis that the benefit cap in London has been reduced to £23,000 and elsewhere, including here, to £20,000, there is risk, and that risk is magnified because the drafting of the clause, which, it seems to me, the LCM now wants us to sign up to, is such that Iain Duncan Smith does not even have to discuss this with our Minister. He can ignore the economic circumstances in Northern Ireland if he so chooses, and we know that he will so choose.

It gets worse. This is what the Child Poverty Action Group said about clauses 9 and 10, which, it seems to me, the legislative consent motion obliges us to accept:

*“The Bill proposes to extend the freeze on working-age benefits from two years to four years, ending in April 2020.”*

I ask the Minister to confirm whether, with the LCM, that is the principle that we are subscribing to. It continues:

*“This would end the link with both prices and earnings”.*

Remember, that is a freeze on working-age benefits from two years to four years, until April 2020. Noting the sums of money for welfare and tax credit mitigation, at the same time there is a freeze extended from two to four years, virtually for the lifetime of this Parliament and for most of the lifetime of the next mandate of the Assembly. It will be frozen solid. That ends the link with prices and earnings and,

*“effectively cuts benefit support loose from the cost of living and the living standards of the mainstream of society. It would ensure”*

— said the Child Poverty Action Group, and who are we to second-guess it? —

*“the lowest income households will continue to get poorer and follows a series of below-inflation uprating decisions. Between 2010 and 2020, for example, child benefit is projected to lose 28 per cent of its value.”*

Is that what we are signing up to today? With the 2015 Bill, is that the principle that the Assembly is being asked to concede to London? If people in the Chamber have not read clauses 7 and 8 and clauses 9 and 10 of the Bill that is referred to in the Chamber, I urge them to read them before they put their hand up to support the LCM. Unless I am completely in error — no one seems to want to correct any error — this is what the LCM means: unilateral change to the benefit cap; reductions in the benefit cap that have immense implications, especially in our region; and the freezing of working-age benefits from two to four years.

The Child Poverty Action Group goes further:

*“The Bill proposes to extend the freeze on working-age benefits from two years to four years, ending in April 2020. It excludes benefits relating to the additional costs of a disability and statutory payments. This is projected to save over £4 billion per year by 2020/21 ... We are concerned that this cuts the link with both*

*prices and earnings, and effectively it cuts support for people receiving these benefits loose from the cost of living and the living standards of the mainstream of society. It ensures the lowest income households will continue to get poorer. Analysis by the Institute of Fiscal Studies (IFS) shows that below-inflation increases in benefits would cause relative poverty to rise, as earnings would increase faster than benefits — meaning that households at the median will see their incomes rise faster than those of lower income households, who receive a larger share of their income from benefits and a smaller share from earnings.”*

That latter category is us. The people of Northern Ireland, in assessment after assessment, receive a larger share of their income from benefits and a smaller share from earnings. That is what we are washing our hands of in this Bill.

As I said, I am not sure what in the Bill is being signed off on in principle. I ask the Minister whether work-related requirements for parents and the changes in respect of the assessment of child poverty are or are not being signed off in the LCM. Whilst those two matters are definitively welfare related, are we, through this Bill, moving onto the ground of work-related requirements for parents and the Child Poverty Act? This Bill goes after the Child Poverty Act 2010. That Act had four measures of income-based child poverty. That is in a context in which OFMDFM-published data states that relative and absolute child poverty in Northern Ireland will be above 30% on both standards by 2020. That is happening in an environment in which, in July, the High Court in Northern Ireland granted a judicial review to the Committee on the Administration of Justice. Why? Because FM and DFM had not produced an anti-poverty strategy. That case was defended. It had to be defended on the instruction of FM and DFM, otherwise there is only one person running that Department. It must have been signed off in order to give instructions to barristers and solicitors to fight the case. The courts found in favour of the CAJ that there had not been an anti-poverty strategy.

The four measures of income-based child poverty in the 2010 Act are relative income poverty, absolute income poverty, the combined low income and material deprivation measure and a measure of persistent poverty. What does this Bill, which is part of the LCM and may or may not be part of what has been signed up to in principle by the DUP and Sinn Féin, do? It will retrospectively rename the Child Poverty Act as the “Life Chances Act”. What a statement of Tory dogma and what a statement by parties in the Chamber. Rather than name the issue as child poverty, we end up naming it “life chances”. Why in the name of God are we adopting Tory elite language to interpret and explain to people the scale of child poverty in this part of Ireland, if that is what the legislative consent motion means? I look to the Minister for confirmation.

It goes further. Can you imagine any Parliament retrospectively changing the name of a Bill? Can you imagine the ridicule that any of our Ministers would face if they came wandering into the Chamber and said that they wanted to retitle legislation from 2010 because they found it upsetting? They would be taken apart not just by ‘The Stephen Nolan Show’ but by anybody with an ounce of wit. It seems — I am subject to correction — that that is what we are signing up to today. Why would we collude with a

Tory elite that does not like the words “child poverty” and replaces them with “life chances” retrospectively?

It then goes further by removing the income-based child poverty measures and targets and replacing them with measures that assess worklessness, educational attainment at 16, family breakdown, debt and addiction, and duties on national and local government to reduce child poverty. The London School of Economics (LSE), following a consultation around this in 2012-13, concluded:

*“There is very strong support for the existing measures, and near universal support for keeping income poverty and material deprivation at the heart of poverty measurement.”*

It seems that this LCM drives a coach and horses through that narrative and the child poverty strategy, and yet we seem to be casually and idly going along with it.

I will not detain the House in respect of work-related requirements for parents, save to say that, if we sign up to the work-related requirements for parents, which is clause 16 of the 2015 Bill, how that can be reconciled with the issue of affordable, accessible childcare in Northern Ireland? Essentially, it is proposed that all parents will be expected to be available for and actively seeking work from the time their youngest child turns three in order to claim universal credit.

We have some very useful interventions in terms of welfare management for lone parents. Ministers, including the current one, have been very attentive to making sure that there are specific discrete measures to protect lone parents. If, today, we sign up in principle — I do not know whether we will — to the work-related requirements for parents in clause 15 of that Bill, are we pulling the rug from under the discrete interventions that we have developed over a number of years in respect of lone parents and availability for work?

Clause 16 means that all parents, lone and otherwise, will be expected to be available for and actively seeking work from the time their youngest child turns three in order to claim universal credit. If that is what we are signing up to, it is in open conflict with years of legislation and guidance in respect of how DSD and the Social Security Agency should manage that category of claimant. Irrespective of that fact, what are those parents meant to do when there is a lack of affordable, accessible childcare? If we do not have that protection, we sign up to that principle, which is in open conflict with so much of what our society requires.

I ask the Minister about the bedroom tax. Mr Hazzard asked, “Where is the bedroom tax?”. There is a reference to the bedroom tax in paragraph 1.4 of section C of yesterday’s proposals; it states:

*“Within the welfare funding set out above, it has been agreed that the social sector size criteria — the so called bedroom tax — will not apply, as agreed by the Executive.”*

Is it not going to apply at all, or is it going to apply only in the terms “as agreed by the Executive”? Mr Hazzard asserts that it is not there at all, yet it is there, but we do not really know what it means. The Minister knows — Mr Maskey will know this because we gave him our paper on welfare, noting that no papers were given to us — that:

*“the SDLP oppose the bedroom tax in law and in practice. It should not be applied. Given the segregated nature of housing, the under-provision of smaller units and the purported scale of under-occupation, the bedroom tax would apply to very small numbers. To punish people for purported under-occupation in a long-occupied and possibly family home, with the benefits of a settled life and community environment, is at once punitive and tokenistic. An assessment of the under-provision of smaller units and the under-occupation of existing units should be undertaken in order to produce potential remedies with full regard to the factors above.”*

There should be no bedroom tax in practice or law. We have lost the argument in law, but can we win the argument in practice? I quote:

*“Within the welfare funding set out above, it has been agreed that the social sector size criteria — the so called bedroom tax — will not apply, as agreed by the Executive.”*

What does that mean? Is it gone, or is it not?

### 3.30 pm

Given that, as I understand it, the Minister has not signed off on, and may never sign off on, any scheme for how the bedroom tax may or may not operate, can I seek an assurance today that it is not going to apply in practice and that, if there is any issue about underoccupation, that will be looked at and assessed in the round, given the nature of the housing environment in Northern Ireland? Otherwise, Mr Hazzard’s assertion that it is not there sounds a bit hollow, because it is there, but we do not know what “there” means. What categories are going to be vulnerable to the bedroom tax, Minister? Will it only, for example, be people who get into work and therefore, in our view, should have an assessment in principle outside the domain of the bedroom tax in law, or will it be other people? What has been agreed by the Executive? Has anything been agreed by the Executive in that regard?

Ms Bradley made the very good point, and this is where there is unanimity, that it is all our constituents who are affected by all of this. To emphasise that, I want to quote what some people have said. This was a question to Mr Gauke, who, I understand, is the Chief Secretary to the Treasury, and the decisions mentioned are those on welfare and tax credits:

*“does he recognise that such decisions will have a bigger impact on some parts of the United Kingdom, such as Northern Ireland, which have a high number of people who are low paid, and they are the very parts that he wants to see growing?”*

Here is another quotation:

*“The Bill makes it clear that the Secretary of State can review the caps at any time. All he or she has to consider is ‘the national economic situation’ and*

*‘any other matters that the Secretary of State considers relevant’.*

*Then the Government can introduce changes by regulation.”*



And another:

*“the change in universal credit, the freezing of benefits and the change in tax credits are, as the right hon. Member for Birkenhead (Frank Field) pointed out, an attack on aspiration. It is an attack on people who are in work.”*

And another:

*“I do not believe there is fairness in this policy, because it does affect those people at the lower wage end of the economy.”*

Those are not even the words of SDLP Members of the House of Commons but those of Sammy Wilson MP. That is his withering indictment of much of what is in the Welfare Reform and Work Bill. In fact, I could not see much difference between us on the freezing of benefits, the further reduction in the benefit cap and working tax credits. I wish that he were here. Well, I do not actually wish that he were here, but you know what I mean. I wish that he were here to stand up and concur or not.

To be fair to the DUP, on a number of occasions at Westminster, it voted against the Government and for amendments that would mean interventions of a positive nature. Why, today, go contrary to what your MPs have done on those matters? At the Bill's Second Reading, on 20 July, seven of your MPs voted against what London was proposing. At the Third Reading, on 27 October, eight of your MPs voted against some of the proposals. Remember that that Bill is not through Westminster yet. We will see the full scale of what is next going to be served up on 25 November.

I want to conclude now with this quotation:

*“We cannot stand aside and passively accept the swingeing cuts being pursued by a Conservative government wedded to an austerity agenda.”*

We cannot stand aside and passively accept: this LCM is passive acceptance of what London is doing. Whatever about legislating historically for the 2012 legislation, it hands over to London our authority for whatever has been agreed in principle on welfare and those elements of the 2015 Bill.

We cannot stand aside and passively accept the swingeing cuts: the LCM is the passive acceptance of precisely that. Mr McGuinness needs to be careful about the words he chooses in future:

*“This arrogance must be confronted and challenged at every opportunity”*

— but not today. Today is the one day when we do not confront and challenge the arrogance of what London is proposing. In that regard, I refer to Mr McKinney's comments this morning. He exposed very eloquently the scale of what has happened over the last 24 hours.

Even at this late moment, I put it to the Minister that he not move the LCM. That is what I am asking the Minister to do: not to move the LCM, for all the reasons that I outlined. It may be that the Minister will have powerful answers to all those points, shallow though many of them might have been. He may have powerful points, but if there is any element of authority in anything that I said, and if that is only part of what we are doing today in signing up to the

LCM — abandoning our democratic authority; abandoning proper scrutiny in the Chamber; allowing the DWP to decide what is or is not an equality impact for our people; saying that DWP can change the benefit cap when it thinks that its national economic circumstances need it and can change the cap even though it has disproportionate and enormous impacts on our people in Northern Ireland — I say to the Minister, “Don't move the LCM”.

**Mr Deputy Speaker (Mr Dallat):** Perhaps I should point out that the motion has already been proposed by the Minister and can be withdrawn only with the consent of the House.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. We are well into the afternoon and are, quite rightly, having a lengthy debate, if not necessarily an entirely useful one. I will put some context on the issue. I will not refer to any other elements of the agreement announced yesterday, but I make the point that Martin McGuinness and Peter Robinson publicly announced the agreement that had been reached, which is a fairly comprehensive agreement across a wide range of issues, notwithstanding the very serious difficulties that we have all faced in the last while. Let us remind ourselves that — Mr Humphrey made this point — this debate and discussion have been going on for almost three years.

Other issues have also been going on in the last two to three years. We have had the Haass talks, and, even before them, we had the all-party group, the Executive meetings and failure to reach agreement across a range of issues, to the point at which we all know — every Member knows — that the standing of the Assembly and these institutions has been pretty low in the minds of many of the people whom we collectively represent. I think that we all acknowledge that that is a very unfortunate position to be in. We owe it to the people whom we represent to do the best we can on their behalf. We know that people out there are struggling to get a good education, a proper health service, a job, good opportunities and support when they are in need of support, whether that is through welfare or any governmental intervention. That is the context in which we have to see this.

The agreement that we reached, which has brought us to supporting an LCM today, is part of a wider agreement. Let us not forget that we cannot deal with the issue in isolation. Only if it were possible to deal with the issue in isolation would we all be in a better position than we actually are. I hope, and expect and believe fervently, that, when the people outside whom we represent come to terms with what is in the agreement and what is across the range of issues, we will see that they are, generally speaking — I mean this in the round — better off as a result of an agreement than not having an agreement.

No one has dealt with the elephant in the room: if we did not have an agreement, and if we did not have an agreement now, we would have no political institutions. Nobody, in my view, would realistically and sensibly argue that having no political institutions here and having none of the political representatives exercising their mandates and trying to do their best for the people whom we represent would be a sensible outcome. I hope that it never comes to that. I make it very clear that whilst the parties here have to deal with issues, whether welfare, health, education, employment or any of the other matters that are pressing down on people, no one would suggest that the parties

here do not have a responsibility to be seen to working together in the Executive.

In the last few days, in this agreement, we have approved an official opposition. Personally speaking, if I had my way, there would not be an official opposition because I think that everybody should work together and shoulder the responsibility around the Executive table to help this society move from the period that we have come from: decades of conflict, discrimination, direct rule and misgovernment. I believe that the problems that we all face deserve — and we should, rightly, expect — that the parties that have a mandate work together, not pretend that they are in opposition and certainly not when they have not put forward a single proposition as an alternative to what has been agreed. I have heard a lot this morning and afternoon, but I have not heard a single proposition from any party or Member here. Not one person has come up with an alternative.

Earlier, someone said that we do not know what the pot of money is, where it will come from or whether it is enough. That was the deputy leader of a party that has come to the House to say that it does not support this initiative, but he does not seem to know where the money is coming from — £585 million of mitigations — for people on benefit and, at the moment, for the people receiving welfare or tax credits whom we are trying to help. The deputy leader of a political party can come to the Chamber and say, “We do not know where the money is coming from”, and ask, “Is it enough?”.

Let me explain this: the money is coming from the block grant; it is coming from every person we represent. The choices are made because the British Government that we are dealing with ideologically and dogmatically intend to slash and burn welfare, public services and obviously, even more recently, tax credits, even though they promised their own people during the recent election campaign that they would not touch tax credits. You know what? They did. Whatever little bit of a setback they got in their House of Lords, nobody in this Chamber knows what they will come back with. What we do know is that they will come back with further cuts to our grant and to the people who depend on welfare or tax credits. They will come back with those measures.

Therefore, we have to recognise that we cannot say — no one in the Chamber can say — that we will defend all those people to the last penny that they will lose. In fact, I am glad to hear that nobody has suggested it even today. Let us just scotch that and deal with it. People say, “Well, what has changed since when we made those commitments?”. By the way, it was not just Sinn Féin that made those commitments; other parties made them, too. What has changed is that the people of Britain elected an unfettered Tory Government. That is what has changed. That is the same Government that, no later than Friday in the negotiations, said that if there were no agreement on this or the legacy issues, there would be no agreement whatsoever. I would like anybody who wants to spend the day decrying this initiative or the agreement to spend a little bit of time telling us how they got on in their own negotiations with the British Government. Did they get any additional money out of them? Did they get any promise from them that they would not slash and burn welfare? Did they get any promise from them that they would not attack public services continually?

Conor Murphy and I, with other members of our party, met a whole lot of other Members round the Chamber in the bilateral talks. We asked parties directly how they got on when they were talking to the British Government, “Did you get any money out of them?”. No. “Did you get any commitment from them that they would stop cutting welfare?”. No. Do not come into the Chamber and decry the rest of us for trying to do the best we can. I do not stand here and say that British Government policies on welfare, or many others for that matter, are good policies. Of course, they are not. They are not my Government and I do not want them to be my Government. I am quite glad that they are not my Government, but I am stuck with them.

They are holding this place over a barrel.

### 3.45 pm

For me, whatever came out of the range of issues in the negotiations and the agreement, all the parties here, bar one or two, were involved in the negotiations, that is fair enough, and I accept that. I can understand that a party that was not part of the negotiations can criticise the outcome. I might not agree with them, but they may have the integrity to say that they had a particular view. However, I cannot accept that parties that were involved in the same negotiations that we were involved in can come to the Chamber and talk for as long as they want to but do not have a single alternative to put on the table. That is what is missing in this debate; there is no reality check.

We heard from parties that said that they had a route map. Party leaders — I am talking about Mike Nesbitt — went down to the talks saying that they had a route map to get us out of the mess that we are in. Where is the route map? I have not seen it yet. We had parties saying that they had a prosperity plan. When I asked Alasdair McDonnell, the previous leader of the SDLP, for his prosperity plan, he told me that Fearghal McKinney was just putting the finishing touches to it. We still have not seen or heard about this great prosperity plan. I am still waiting anxiously to get it, because if somebody can show us how we bring greater prosperity, then I'm your man. I might even consider voting for you. Mind you, it will be a tough call to make.

Let me be very clear and very honest about this. I want all the parties around the table to contribute to the solution. We have come out of a situation in this city, so let us bring ourselves back to reality. We can talk all we want about welfare and a range of other issues, but we were confronted in the last few months with the murder of Jock Davison in the Markets, followed by the murder of Kevin McGuigan in the Short Strand. There are some politicians in this Chamber who, shamefully —

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

**Mr Maskey:** — I am not taking any interventions, sorry — shamefully exploited those killings for narrow, party political interest. They did that to their shame, but, lo and behold, implacable opponents around the table and in this Chamber were able to get together to work with the two Governments and other parties to try to resolve those issues.

Some people may think that they are not all approved, and people talk about the legacy issues. An SDLP contributor said earlier that there was no deal on the legacy issues. There was a lot of agreement, as he knows, on the legacy issues, but that part of the agreement fell down on one

point, which was that the British Government said that they would not compromise what they called their national security. There is not one victim or survivor of our conflict, particularly one who has lost a loved one, who is going to thank anybody around the table who would support legislation at Westminster that will allow the British Government to continue the cover-ups that they have been involved in for decades. I am not making any apology on behalf of Sinn Féin for not agreeing to the legacy aspects of the talks.

We agreed all the structures, and it was very good that there was agreement across all that. However, you cannot then say that we are going to set up these institutions, but, by the way, we are going to underpin it with our own get-out clause, which was what the British Government wanted to do. They told us last week that, if we did not agree to that, there would be no agreement. We said, "Well then, so be it, there is no agreement". That is why we are here today. The legacy issues are not included in the agreement, and I deeply regret that. Let me remind some Members that I was a victim of the conflict, so I know what it is like personally and directly —

**Mr Deputy Speaker (Mr Dallat):** Order. I encourage the Member to return to the motion before the House.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I will do that; I just wanted to provide a little bit of context and a reality check to some Members who have contributed to the debate today.

I just want to make it very clear that Sinn Féin and the DUP — more accurately, the First Minister and the deputy First Minister — have reached a deal between their respective parties, and the two Governments have signed off the agreement. Today is not about us abdicating our responsibility on welfare or anything else; far from it. This is about us taking our responsibility seriously. We are not coming here with empty rhetoric, telling everyone what the problems are. I know what the problems are; I could write the script for what the problems are. I could go to any one of our offices' advice workers who will tell you exactly what the problems are, problems that people are facing day in and day out. That is not only people from the nationalist community that we are told that we represent. I am talking about people from the unionist community and the loyalist community who come to our offices to seek our support on welfare and issues of that nature, and who want to get help, whether they are on welfare, whether they are on sickness benefit or whether they are trying to get a job. We help those people as well, and I am privileged to say that we have the opportunity to do that and do so.

We will not for one second abdicate our responsibility to those people. We are endeavouring to do our best to give them as much support as we can so that, despite the worst efforts of the British Government to have a slash-and-burn policy on welfare and to attack public services, the Executive, even though they are not getting the support from other parties that have members on the Executive and the party that has walked out of the Executive, are doing their level best to support people. Whether it is on the regional rate or supporting the manufacturing industry, or whether it is the Minister of Agriculture and Rural Development trying to help people in rural communities and all of the rest of that, John O'Dowd as Minister of Education or Mervyn Storey as Minister for Social Development, the Executive are trying to make sure that

we are supporting disadvantaged communities, because that is what they are there to do.

We have a job of work to do, which is to stabilise the political institutions. One way of doing that is to keep the political institutions, and we would not have been able to keep them if we had had no agreement reached in the past number of days. To the parties that were, in my opinion, never intending to reach an agreement, I say this: shame on them. At the end of the day, the people will make their choice on those parties in the election in the next number of months.

Let us be very honest about this: we all know that the Ulster Unionist Party never had any intention of reaching an agreement. It never intended to have an agreement. In fact, one minute, the leader of the party was in the talks and, the next minute, he was out of the talks. The next minute, he was saying, "We have agreed a pot of money for welfare, but we are not agreeing anything else", or, "We are not putting in a paper because you never gave us any papers back", or, "You did not take any notice of our last paper". That is the stuff of five-year-olds, but, at the end of the day, the rest of us got on with the work.

I have to say the same thing about the SDLP. I do not know whether it supports the package on welfare. It has not actually said that. I can take the SDLP's point about it not wanting an LCM to go through and wanting one day for a debate in the Assembly. In October, Mr Attwood asked for a one-day Consideration Stage, so I am not really sure what the SDLP's position is on the package. Let us remind ourselves that the package that we are talking about today and that is going through as the result of an LCM is under section D of the agreement. It is very precise. I presume that the Minister will answer formally and directly himself a number of the questions raised when he is on his feet later. At the end of the day, what we are supporting here is the series of measures that were agreed earlier on in the year among the parties. They all said that they wanted split payments so that people would not have to get payments every month but would instead have the choice. We are talking about lone parents who are trying to go for interviews and so on having latitude to do so because they do not have the childcare that may be available elsewhere. We are talking about a figure of £585 million over four years, and that will be spread across people who currently will lose out as a result of welfare reform or the changes to tax credits. We have all agreed, I believe, that the panel led by the eminent professor, Eileen Evason, will have a very tough job of looking at how to mitigate the situation using the envelope of money that has been agreed.

I heard interviews on the radio yesterday, including those with commentators. One commentator on the BBC said that Sinn Féin has not done enough, yet the person on after said that Sinn Féin has done too much. You can either put too much money into welfare support or you can put too little. It is a judgement call. At the end of the day, we are, broadly speaking, satisfied. Even though we would want 100% support for everybody, that was not doable, and that is the bottom line. What has changed? What has changed is that there is an unfettered Tory Government in Westminster. The bottom line is that, unfortunately for me, the people of Britain returned the Government that they have. That was their democratic choice, but, unfortunately, it impacts very negatively on us. Our job has been to try to do our best to support the people we represent.

The final part of my remarks concerns the fact that Members have talked about the people in Scotland or Wales or England. There is nobody in Scotland or Wales or England who is getting access to this level of support, and I add that nobody in the Twenty-six Counties is getting it either.

We have managed to get a pot of money of almost £600 million to be spread over four years. It is regrettable that we have to do that because that money will come out of our block grant. People have argued that that money would have been better spent on hospitals, schools, the arts or disadvantaged communities. Of course it would, but a lot of other measures in the overall agreement seek to address all those issues. We need to make businesses successful, give our young people, in particular, hope, and to support people, so we are making choices against the austerity programme and the dogmatic and ideologically driven austerity measures coming from the British Government in London. The same measures are coming out of the Oireachtas in Dublin, I have to say.

We have been doing our level best to support people out there who need it. That means that it does cost the health service and the education system, but we are prepared to make those choices because everybody in this room wants the same things: we want to maintain no prescription charges, lower tuition fees, no water charges, and the list goes on. I mentioned some of the other aspects earlier. It is not until we get the financial levers that are currently held by Westminster that we can seriously and fundamentally seek to restructure our economy. This is not a sovereign state. People need to remind themselves of that.

I hear people talk about a dysfunctional Assembly. People out there do see this place as dysfunctional, and I regret that, because, for the first time in my many years as an elected representative, in the last couple of years, I have actually felt that I really do not want to be in this Assembly. I am not interested in working in an Assembly that is not delivering for the people whose vote I am privileged to have. I do not to be party to an institution that will not deliver for the people, or at least try its best. That is what we are here to do, and I think that all the parties need to work together to deliver for the people we represent, even though we may disagree on some aspects of the issues.

However, not one Member who spoke today has said that the £585 million should not be put in a pot to give to people. Not one Member who spoke today has said that Eileen Evason should not be given a panel, that money and the role to try to determine how best to use that money to support the most vulnerable. I look forward to Professor Evason's panel report in January so that we know exactly what that means.

I will you what else has happened. The First Minister and deputy First Minister yesterday committed to accepting the proposals from that independent panel. So when Members here say, "I want to know what it is. I want to scrutinise it", fair enough; that is grand. But this package of support will not be subject to party political dispute. This will not be subject to any one party saying, "Oh, there's my favourite", or, "There's what we want to support." These are the eminent experts in the field who will look at the situation facing them, and they will determine how best to spend the money. I repeat for the record that £585 million will be put at the disposal of that panel to distribute through the system here in the best way possible to support people in need.

On that remark, I will conclude. As I have said, I hope that what we have in the overall agreement is a fresh start. People can ridicule a title and call it whatever they want. I just hope that, when we get beyond today, people out there see that at least the Assembly is starting to work again. I would rather they were hearing that with universal unanimity from all the parties. If that is not the case, so be it. But I know one thing: I accept the integrity of Peter Robinson and Martin McGuinness when they both spoke yesterday and said that they were determined that this, indeed, will be a fresh start, and I look forward to seeing that happen.

**Mr Allister:** I am not sure the last Member who spoke was so much addressing the House as seeking to address and mend fences with his electorate, who, of course, were so grossly misled by Sinn Féin as to the die-in-the-ditch response that they would forever make to welfare reform. Of course, the truth is that, today, we are debating the most colossal climbdown by Sinn Féin on the welfare issue. Indeed, this agreement, which brings us here today, is typical of the trade-offs whereby the Government operate for what passes as working in this Province, in that there is again in this agreement a massive trade-off; a trade-off of climbdowns. Sinn Féin spectacularly climbed down on welfare reform, and the DUP even more spectacularly climbed down on paramilitarism, and so we get the product which is this agreement.

#### 4.00 pm

The nature of that climbdown on welfare is illustrated in a number of ways, not least by the diminished pot of money that, last March, we were told was not anywhere near enough, but now it is diminished from £564 million for welfare to £345 million — the other £240 million being for the yet uncoded, undefined tax credit consequences. So, what was unacceptable in March — £564 million — is now, when it is reduced to £345 million, a good deal, according to Sinn Féin.

The £564 million was to be spread over six years, and that was giving something like £94 million a year. The £345 million is now to be split over four years, giving something like £83 million a year. So, the pot for meeting the shortfall in benefits, far from being increased — and we were once told that it would take another £300 million, I think it was — has been radically diminished. Yet, we are told through contributions like that from Mr Maskey that this is a great deal for those he represents. Patently, it is a less good deal than what was available at the start of this year.

A question that has not really been addressed in this debate is this: where is that £585 million for welfare and tax credits coming from? One thing is clear: there is not a penny of it coming from Westminster; oh no. It is coming off our constituents who rely for many basic services on the block grant, and the largesse of the two dominant parties is that, in order to placate and keep the benefit level artificially high, they are going to cut the cutters. They are going to cut the block grant in key areas, be it education, environment, agriculture, whatever. It is secondary to sustaining and obtaining the £585 million for benefits and tax credits. So, the loser in much of this will be the non-benefit claiming constituent who will find that services that he already thinks he pays richly for will be diminished to the tune of £585 million. According to those who claim to know, or think they know, that is a good deal.



The other question that immediately arises is this: what happens at the end of the four years? We are going to have GB benefits flatlining or worse. We are going to have Northern Ireland benefits artificially sustained at a higher and widening level, and then we reach the end of the precipice when the money runs out, and what happens then? We are creating and storing up a huge crisis — far bigger than the one that is said to face us in recent times — because there are only four years of purchase on this subsidy.

What happens then? Is it back to — who knows what crisis number it will be by then? — another round of crisis talks? That seems to be the limitation of the thinking of those who brought us here.

What about the great benefit warriors who were going to deliver and die in the ditch over benefits? Yesterday, they crashed, conceded and climbed down in the spectacular manner that they did. We heard why. We heard it from Mr McGuinness, when he told us rather plaintively, “If we had not done this, I would not have a job. There would be no deputy First Minister because there would be no institutions”. There it is: saving the institutions is much more important than benefits and those dependent on them. We heard it from Mr Maskey again today. The great benefit warriors turned turtle and ran pretty fast when the threat was made that there might be no Assembly. Their jobs mattered much more than anything else.

Today, we have the inappropriately named legislative consent motion. I spoke this morning about the fact that three of the four issues in it were not adequately before the House. It seems that, after the House met, there appeared on the NIO website — on prompting or not, I do not know — a copy of the Northern Ireland (Welfare Reform) Bill. Fair enough, I can cope with it; it is three pages. Even I can assimilate that in the time available. However, there also appeared the draft Welfare Reform (Northern Ireland) Order 2015, which runs to 126 pages. How many people who will dutifully troop through the “Yes” Lobby tonight will have read even six of the 126 pages of that draft Order? Not very many, I suggest. That will not trouble the fodder that populates many of these Benches — they will do what they are told — but I, for one, will certainly not lend my assent.

Let me make it plain: I have no issue in principle with legislative consent motions or with inviting the Mother of Parliaments in the United Kingdom to legislate. I have no difficulty whatever with that, just as some others, from rather surprising sources, now seem to have no difficulty with that, but I do have difficulty with signing blank cheques. I am not prepared to consent to that which I have not been able to read, study and reach a view on. That is why we should not have even been asked to do it today.

The one document that we had adequate notice of was the Welfare Reform and Work Bill and its welfare clauses. Those welfare clauses, as Mr Attwood articulated, encompass some very strategic issues. They encompass the £20,000 benefit cap. The amazing thing is that some of the people who will vote tonight, in the words of the motion, to approve those welfare clauses come from parties that, in Westminster, went through the Lobbies against those clauses. Take the Democratic Unionist Party. At Second Reading and Third Reading, its MPs voted against the Welfare Reform and Work Bill. Some of them, like Mr Wilson, spoke against it, but tonight their MLAs will vote to approve the very clauses that their MPs

voted against. There was expediency somewhere, whether in Westminster or Stormont. The expediency was there, in one place or the other, and that is how they will vote tonight.

We then have the approval of the motion and:

*“the Executive’s proposals to enhance payments flowing from the agreement announced on 17 November 2015”.*

No doubt the Minister will correct me if I am wrong — indeed, he might even correct me if I am right — but those have to be the proposals that will emanate from Professor Eileen Evason. They are certainly not in the agreement. The agreement manages in a page and a third to deal with welfare and tax credit top-ups. It does not tell us what the Executive’s proposals are to enhance payments flowing from the agreement, so it can be only what the professor tells us are her proposals.

It is a matter for every Member, but I, for one, will not vote for something that I have not seen, for something of which I have no idea what the content will be or for something that I have no idea how it will affect my constituents. We are being invited to rubber stamp blindly in advance whatever it turns out to be or whatever is adopted as the Executive’s proposals, even though those proposals will affect every one of our constituents. How could anyone say that they are representing their constituents in the House and engage in the absurd exercise of voting blind for something of which you have no idea what the contents will be? Although I am not at all ideologically opposed to legislative consent motions, I will certainly not vote for one that asks me to vote blindly for something that I have not seen and, I imagine, no one will see for weeks if not months.

The proposition really takes us to a level that is so surreal that it is unbelievable. In my book, these are obviously politically convenient for some because the overriding desperation was to have a deal — any deal, as it turns out. That seems to have been the motivation of both parties: any deal will do, and this is it. To protect their blushes, they came up with a wheeze: “We will get Westminster to do it. That will keep our fingerprints off it. When public memory fades a little, we will be able to say that the British Government did it; we did not vote that through”. Today, not only will you vote that through but you will vote it through in ignorance of what it is that you are being asked to vote on. You will then go back to your constituencies and say, “Elect us again. Don’t we do well representing your interests?”. I am glad that, in six months’ time, we will all face the verdict of our electorate, and I will be quite happy when some are asked about the climbdown on welfare and some are asked about the climbdown that involved sweeping murder under the carpet.

#### 4.15 pm

**Mr Agnew:** I welcome the fact that we are back here, debating business, albeit in this extra sitting. I welcome that an agreement has been made. I might not agree with much of the content of it, but I welcome, nonetheless, that we can get back to doing business as usual in the House. Many outside the House have lamented the time wasted with in-out Ministers, the lack of legislation and the lack of Executive meetings in the intervening period. I briefly make the point that, whilst the Executive have been away, no less than three pieces of legislation have come

forward from this Bench alone. So, while the Executive have been away, the Assembly has been at work. The new deal does not enhance the powers of these opposition Benches. We have the unique situation whereby, to be in opposition, you have to qualify to be in the Government. That seems somewhat unusual, at best. However, we on these Benches do not wait to be empowered; we empower ourselves.

My party proudly stood against the welfare cuts that came from the Tory Government. We did so from the Second Stage, when there was no top-up fund; and we did so at the Final Stage, when we believed that the top-up fund was insufficient, and we asked that more money be allocated to such a fund to ensure that as many people as possible in Northern Ireland could be protected. I cautiously welcome what appears to be an increase in that top-up fund.

I stand vindicated in the action that I took to block the previous Bill, as it proposed to cut the incomes of some of the poorest in our society. I stand vindicated in the continual challenge that we put to Sinn Féin in its assertion that the previous deal would have left no one in Northern Ireland worse off in benefits under the control of the Assembly. That was never achievable. Even had the demands that came forward from the Green Party been met, we would never have claimed that it was achievable. It was a disservice, particularly to those with disabilities, who would have lost out under that deal had it been passed. I welcome that Sinn Féin, in the end, voted against that deal, but it did not take an ard-fheis for the Green Party to see that the figures simply did not add up. We highlighted those figures and, in my view, there was no dupe from the DUP in that case. The figures were on the surface of the Bill and on the face of the Stormont House Agreement. They never added up, and they never could, to no one being worse off.

The deal we are presented with today is, I believe, a better one. There will be hurt. We cannot say that no one will be worse off, but it has been pointed out that we are in the context of an unfettered Tory Government, which, on top of its previous £12 billion worth of cuts to welfare, are making huge cuts to tax credits that are estimated to affect over 100,000 families in Northern Ireland.

As I said, I give a cautious welcome to what I see as an improved deal, because the devil is always in the detail. Indeed, it was the scrutiny of that detail that led me to reject the previous agreement. I wish to pose a number of questions to the Minister and hope to get answers today.

The agreement states that the sum allocated to the top-up fund incorporates the present discretionary fund. I would like to ask the Minister, in each of the past three years — or from whatever figures are available — how much that discretionary fund amounted to and whether it was a part of the original Stormont House Agreement. My understanding was that the top-up fund in the original Stormont House Agreement was on top of the discretionary fund. I liked Mr Allister's line:

*"No doubt the Minister will correct me if I am wrong — indeed, he might even correct me if I am right."*

So I seek the Minister's input on that. Is this a change? Is there a concealment to massage the figures of this element of the discretionary fund being added in, and, if

so, to what value, because that may make a significant difference to what, on the surface, looks like an improved deal.

My next question is one I asked through all the stages of the last Bill. When we are told that there is no bedroom tax, is the Minister giving a commitment today that there will be no bedroom tax whatsoever? In a debate on the previous Welfare Reform Bill, despite assurances in the Stormont House Agreement that there would be no bedroom tax, the Minister stated:

*"the Executive have agreed to create a separate fund of £17 million per annum that will mitigate the impact of this measure by protecting existing and future tenants from any reduction in their housing benefit unless there is a significant change in their personal circumstances or they are offered suitable alternative accommodation."* — [Official Report (Hansard), Bound Volume 101, p489, col 2].

I would like to ask the Minister this: are there any circumstances in which the bedroom tax will apply? Specifically, if someone does have a change in circumstances — for example, a child leaves the home, vacating a bedroom, and there is suitable alternative accommodation available — will that family be expected to move or face a cut in housing support? Or will that be at the discretion of Professor Evason? Can the Minister say definitively that there will be absolutely no application of the bedroom tax?

Another issue that vexed my party is sanctions. We sought to amend the previous Bill to make sanctions less punitive, and we still stand opposed to a maximum sanction of 18 months — 18 months' cessation of benefits that may be for the individual concerned their only source of income. As I argued then, no one makes a choice that leads to their only source of income being cut. Having worked in the homeless sector, I have sat with people who have been on the receiving end of benefit sanctions and have known the circumstances, whether mental ill health, learning disability, court appearances or whatever, that may lead an individual to miss an appointment.

Knowing those circumstances, I cannot support or comprehend a system that would cease someone's benefits for up to 18 months. Can the Minister guarantee that, as is likely to be the case, the legislative consent motion is passed today and Westminster legislates for the sanctions, they will be the choice and action of last resort? I have asked him before, and I make no apologies for raising the issue again. Will he guarantee that, in Northern Ireland, we will never set a target for the amount of money to be saved through sanctions? To be fair to the Minister, his Department and its agencies, I have never had raised with me any suspicion that a target was being applied in Northern Ireland, but I am asking for that commitment, because we have seen the evidence from Great Britain that targets were set for sanctions to reduce welfare spend. In my view, that is immoral. I ask for his guarantee that that will never be the case in Northern Ireland.

What happens after four years? I am very concerned about the timing. I know that no Assembly can budget ad infinitum, but I worry about the timeline. In the agreement that proposes a top-up fund over four years, there is an agreement to cut corporation tax to 12.5%. My concern is that, when that point comes, the cost of corporation tax of

up to £300 million a year, which is the latest figure from the Treasury, would mean that a future Executive would make the decision that that top-up for welfare would no longer be affordable. As evidence of my fears, I will quote David Ford speaking at his party conference earlier this year:

*"We can't protect vulnerable people if we have to take another £200 million or more out of public services to fund further adjustments to benefits ... And we can't make the step change in job creation if we can't afford to reduce corporation tax."*

It is clear from that statement that, when it comes to a choice between protecting the vulnerable and giving a tax break to big corporations, there are those in the Assembly who would put the tax break first, over the needs of the most vulnerable in our society. They would cut welfare rather than maintain our level of corporation tax.

The document that we were presented with yesterday speaks of a review after four years. If the Minister can give any detail of the nature of that review and of what power the Assembly will have in influencing and giving power to any conclusions that come from it, I would appreciate that information. Whilst this may give us a better deal on welfare reform than we had before and a better deal than the rest of the UK, I would still not say that it is a good deal. As I said, many of the poorest in our society will suffer as a result of the proposals. However, my fear is that, while we may have a better deal than GB, in four years' or six years' time, we will just have full-scale Tory cuts to our benefits system in Northern Ireland. That is why I cannot support the LCM. I cannot cede further power on this issue to the British Government. It is why, throughout our previous debates on the Welfare Bill, I asked why the concessions that we claim to have got on how we do benefits in Northern Ireland and the deal that we got for our people could not be enshrined in legislation.

I note that the reduction in the duration of sanctions will be in the Westminster legislation, but I also note that the bedroom tax will still be legislated for there. We will have the very strange situation that, if there is deemed to be underoccupancy, we will cut someone's benefits and then top them up again. If we had the power in our own hands, legislated ourselves and ensured that our legislation did not include the bedroom tax, we would simply not apply that cut to people's benefits and would not have the ludicrous situation that we take with one hand and give back with the other. That is inefficient, and, my fear is that it will only pertain in the relatively short term and we will see the bedroom tax introduced in Northern Ireland in the future.

#### 4.30 pm

I am not compelled by the argument that there was not enough time to pass legislation through the Assembly. I have to question the motivation for presenting us with an LCM today rather than another welfare reform Bill. The DUP and Sinn Féin, who have agreed the provisions outlined in the document released yesterday, have the numbers to push the legislation through. Legislation can pass through the House within three months, which is the time available to us, so I ask whether it is a lack of trust that both sides — the DUP and Sinn Féin — will stick to the agreement. Is it an unwillingness to allow the level of scrutiny that it would receive should it come through the House? Is it simply, as Mr Allister suggested, that

parties want to pass the LCM today and then blame the Conservative Government for passing the legislation in Westminster? It seems that that ties in with the narrative of the establishment of the working group under the leadership of Professor Eileen Evason to make the difficult decisions on who gets and who loses out so that, again, the parties of our Executive — in particular, the DUP and Sinn Féin — can wash their hands and, indeed, wring their hands when unpopular decisions are made. They can say, "Well, that wasn't us, and, in fact, we're opposed to that decision". My comments are no reflection on Professor Evason but a reflection of how I believe good governance should take place. It should be open and transparent, and decisions should be taken in an accountable manner.

While I give my cautious welcome to the increased top-up budget and wait to hear a reply to my questions from the Minister, I cannot support the LCM today, as it gives further power to a Government who have done nothing but attack the poor, the vulnerable and the low-paid.

**Mrs O'Neill:** Go raibh maith agat, a LeasCheann Comhairle, at this stage of the day, when plenty has been said and we have been debating the LCM for hours — that is fine; it is good to have debate — and without rehashing a lot of what has been said today, I think that one of the key things that my colleague Alex said was that we could not look at the LCM in isolation. We are debating the LCM today because we have a political agreement on the way forward. In debating the LCM, it is important that we continually put that in context when we consider the discussions that we have today.

Throughout today — I have listened to most contributors — we have to remind ourselves of why we are elected: we are elected to make change. I am here to defend the people who elect me and all the people across the North.

We have a job — a collective job — as Assembly Members and as an Executive to stand up for the most vulnerable, the working poor and public services. That is certainly what I am about and what my party is about.

You have to remember why we are having this discussion and why we are in a financial crisis. We are in a financial crisis because the Tories were elected. We are in a financial crisis because they have continually stripped the block grant and our public services and they have continued their attack on the working poor and the most vulnerable in society. I am not apologetic for defending and mitigating, where I can, all those attacks.

When we are out and about, we can all probably reflect upon the fact that, when we engage with people, they want the institutions to work. If the institutions are to work, we have to negotiate, we have to come to political compromise and we have to work together. In this instance, we and the DUP have shown leadership in the political agreement set out before you.

I have listened to a lot of contributors today who said that they have not had the chance to read the Bill and this, that and the other, and that they do not know what is in the Order in Council or what the LCM is referring to. You do. If you do not, you are not doing your job properly. All those things are published and are there for people to read and reflect on.

The bigger picture is that no deal meant these institutions coming down. No deal meant the Tories continuing their

onslaught across all the areas that I previously referred to. No deal meant these institutions closing down, with us leaving the public, the population of the North of Ireland, subject to a continual onslaught of Tory cuts in whatever form they decide to take them over the next number of years.

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

**Mrs O'Neill:** Let me go through what I want to say. If I have the opportunity later, I will let you in if I think that it is appropriate.

We cannot get away from the financial crisis that we are dealing with: the fact that the Tories will continue to raid our block grant.

The best deal that we could have got at this moment in time is the deal that has been presented, and the route that we have set out to deal with the legislative consent motion is the right approach, as it allowed us to protect the most vulnerable and secure these additional moneys. I note that a lot of the parties objecting to the LCM approach are those that, in the past, said that we could not get more money. We got more money; we got a pot of £585 million over four years to protect the most vulnerable. It is only right and proper — I believe that all parties in the House agreed it at some stage over the last number of months — that we also need to protect the working poor; those who are trying to make a living and are dependent on their tax credits to shore them up. All parties agreed to that in the past, yet and all today they want to reject that part of the deal. That is what everybody does: they cherry-pick the parts of the deal that they like; they cherry-pick the parts that they do not like.

Without the deal and the LCM going forward, the whole thing would have fallen. In my opinion, and that of my party, the fact that we have a deal is because we believe in showing leadership and standing up for the most vulnerable in society. I certainly believe that that is what we have done.

I listened to a lot of the contributions today about the legislative route. Let us be very clear and let us also be very matter of fact about the process that will happen: the agreement sets out a time-limited process; it also sets out a sunset clause. It is a process that allows the money that was originally earmarked for fines to go back into the system. It is a process that is clearly defined. It does not dilute the powers of the Assembly, in that we are giving permission for the action to be taken. It is a bespoke process that allows the whole deal as agreed to go forward with the envelope for welfare and tax credits. I believe that the panel will use that envelope to the best effect in how we support those who are being attacked by the Tories.

Will it do everything that we want it to do? Absolutely not, but the Tories moved the goalposts when they made their July statement and started to attack the working poor as well. It is right and proper that we look towards how we can mitigate the worst effects of that to the best effect with the envelope that we have.

As I said, I could have written the script for many of the contributions made in the Chamber. There are those in the Chamber who, no matter what we agreed yesterday and no matter what was put in the agreement, would always have said no. There are people in the Chamber who continually say no to absolutely everything. I refer to

the SDLP in particular and pick up on some of the points that Alex Attwood made earlier. The SDLP has not said yes to anything since 2007. The SDLP said no to budgets. The SDLP said no to the Programme for Government. The SDLP said no to the Stormont House Agreement, yet and all it has been part of a process over the last number of weeks and months and has been part of implementing the Stormont House Agreement. There are all those contradictions, but they are not for me to answer; they are for the SDLP to answer.

We must not lose our sense of what we are about. We are about representing the needs of the people of the Six Counties. We are about working towards protecting those people to the best effect that we can. We are anti-austerity. These institutions are the only vanguard against the Tory austerity agenda. If we were not here, I certainly would not want to explain to people at their door why certain people and political parties in this institution want it to fall and for the Tories to come in and do their dirty work. I am certainly not going to be about that. I am going to work with those political parties that are progressive. I will be about working with political parties that want to stand up for the most vulnerable. We can make a difference. Our Executive can make a difference. I believe that the public want the institutions to work to their best effect. As I said, the institutions are the only way we can protect our people from the worst excesses of Tory austerity. I believe that they are the best way of delivering public services for our people, including the most vulnerable, and for creating economic growth.

The agreement that is set out clearly looks towards how we can have a prosperous economy that we can grow in the future, how we can protect the most vulnerable and how we can target resources towards those in most need, as well as the public services. There are those who will want to continually cherry-pick the deal and electioneer on all aspects of it. That is all right; you can do that, but I am confident in what we have done, which is to be the only vanguard against the Tory austerity agenda, and I will continue to do that over the months ahead.

**Mr Deputy Speaker (Mr Dallat):** I call Dr Stephen Farry, and could I please encourage the Member to refer to the Welfare Bill.

**Dr Farry:** Thank you very much, Mr Deputy Speaker. I do not think that we are at all in the situation of giving ourselves a pat on the back. Those who claim that they are exercising leadership on this issue need to reflect on the fact that we have been put through the mill on welfare reform over the past two years at least. Severe damage has been done to our budgets — self-inflicted, made-in-Northern Ireland damage — never mind that made by the Conservative Government. That damage has impacted on our public services, not least because we have been handing money back to Westminster that could otherwise have been put to good use locally. So, the fact that we now have a limited deal around how we take forward welfare reform cannot be a cause for celebration. Indeed, it is barely even a cause for relief.

We find ourselves in the extremely strange and very uncomfortable situation that we are now relying on an LCM for Westminster to legislate over our heads because, in essence, we have run out of road and options to ensure that our finances are sustainable. Sinn Féin in particular finds itself in the bizarre situation of being happy to ask



the Westminster Parliament to legislate on these matters when, in turn, it does not recognise the legitimacy of that Parliament in the sense that its Members do not take their seats. That is a massive contradiction that is sort of hanging out there and has not really been fully explained to us all. Hopefully, at some stage, someone from Sinn Féin will explain how it can reconcile those two points.

I want to comment on how my party can support the LCM in the context of the deal that was announced yesterday and the deadlock that we have seen around welfare reform. At this stage, Alliance is not in a position to endorse the deal as a whole. We have said that we will look at individual aspects and assess what is in the best interests of Northern Ireland as a whole, and not the interests of our party or narrow party advantage. I want to make things very clear. There is a narrative here where the DUP and Sinn Féin are claiming that they are the ones prepared to take difficult decisions and other parties in the Chamber are not prepared to take their part in those. We are somehow getting the view that the DUP and Sinn Féin are the only grown-ups in the room and everyone else is acting like children and toddlers. People are raising quite legitimate issues today, not least about the timescale within which this debate is occurring. It is important to reference, in that regard, that even yesterday's agreement by the DUP and Sinn Féin, along with the Governments, makes provision for this LCM to be discussed on the week of the 23 November; it does not necessarily have to happen this week.

#### 4.45 pm

We are concerned about gaps in the deal and a lack of clarity around public finances. Above all, Alliance is prepared to stand up for good governance and sound financial management. Often, when we have opposed or criticised Budgets or expressed reservations around particular agreements etc, we have been accused of trying to duck out of our responsibilities. We have often criticised the so-called agreements, or have sometimes criticised or opposed Budgets, not because we are trying to avoid difficult decisions but because we do not recognise that they are sufficiently strategic or comprehensive or that they have lived up to the billing that people set out when they started on processes. We often find that the other parties are ducking the difficult decisions. Our criticism is not based on the fact that difficult decisions have to be taken and that we are, somehow, opting out; it is because the parties that are driving the process have ducked the difficult decisions, with all of the knock-on consequences that flow from that.

I will give one clear example. My party is more than happy to stick its head above the parapet and recognise that, as is the case in virtually every other mature democracy around the world, we have to engage in a degree of revenue raising when we are looking to balance our Budgets, particularly when our Budgets are under huge pressure. We are prepared to show leadership in that regard. That is clearly a risky position, given the attitudes and reluctance of the public in some respects. Nonetheless, it is important to show leadership, and that is what we have been seeking to do.

When we look at the issue of the LCM, we come to the conclusion that it is the only responsible thing to do at this time or, maybe, to turn it on its head, it is the least

irresponsible thing to do at this time. Perhaps the latter way is the best way to frame it. Make no mistake about it: the fact that we are potentially voting on an LCM today is a reflection of the failure of our political institutions. It is not a cause for celebration. This is a recognition of failure and about getting ourselves out of that failure as cleanly and as efficiently as possible. Nonetheless, failure it is. These are matters that are devolved to the Assembly. It may well be a technical devolution where we have the responsibility without the effective power, but, nonetheless, we have that responsibility, and that responsibility has been with us since well before the current round of devolution in 1998.

Obviously, we have to work within the parity principle, and that has been accepted by successive Administrations, whether post-1998 or under the previous forms of administration in Northern Ireland. That is the context in which we are operating, but it is our duty to follow through and ensure that we are balancing our Budgets and working within the context of the parity principle, albeit with the scope that we have for local modifications and flexibilities. Quite clearly, we should have addressed this ourselves through legislation and the follow-through in all of the regulations that have to follow.

We are in a mess. We have wasted time, and we have messed around. We have been on a twisted, convoluted journey, and some parties are on a more convoluted journey than others. We are in-year, we are bleeding money in welfare adjustments, commonly known as welfare fines or welfare penalties, going back to Treasury. That has to stop. We are in an unsustainable situation with our Budget. The Finance Minister has balanced the Budget for the remainder of this year, but that is balanced on the premise that we follow through on what we have to do around welfare reform.

There are massive issues with our Budget, which we will come to during a different debate, as it probably stretches beyond the scope of this occasion. We find ourselves in the situation where we have conflicting problems, in that we should, ideally, be fulfilling our duty and taking legislation through all the different stages. Like my colleague, I recognise that a range of constitutional and institutional implications arise from the fact that we are doing an LCM. This is a different type of LCM, where legislation is happening on a UK-wide basis, and, for the sake of convenience, we perhaps buy in to that legislation rather than replicate the legislation here in Northern Ireland. This is a situation where we are asking Westminster to dig us out of a hole because we have left things too late in the cycle to efficiently address the Budget gaps that have emerged. This is an entirely different context for LCMs than has previously been understood.

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

**Dr Farry:** Yes.

**Mr Beggs:** Is the Member not rather uncomfortable that, in agreeing to this LCM, he is authorising approval for new draft legislation that has not yet been approved by Westminster and is still subject to amendment? What is the logic of doing that?

**Dr Farry:** I am massively uncomfortable with the entire situation, whether we are talking about the 2012 legislation or the 2015 legislation. Of course, an LCM can apply in a situation where legislation is still moving through Westminster, so that is not an uncommon situation for us

to find ourselves in. Obviously, given the sensitivity around this legislation, people will naturally be very concerned in that regard. Far be it from me to seek to defend the deal that was passed yesterday, but the LCM applies to the status of the Bill as it stands, so we will need to return to it if that Bill changes in any significant way. That is the last you will hear of me defending the deal from yesterday. We are fair and balanced in the Alliance Party, and we reflect the facts as we find them.

We find ourselves with conflicting objectives. We want to protect the integrity of these institutions, but, above all, they are only a means to an end. That end is the good of the people of Northern Ireland, and it is important that we stop the bleeding in our public finances. We have a duty to ensure good governance, but good governance is there to ensure that we have properly funded public services and that we are investing in the key drivers of change in our economy.

Quite frankly, through the problems around welfare and other issues with financial management, or lack thereof, by the Executive over the past number of years, we are not doing our best in that regard by any stretch of the imagination. We need to turn that situation around. If we are to look ahead to lower levels of corporation tax, we need to be investing much more in skills and we need to have a proper economic plan.

I draw attention to the point that Mr Agnew was making about there somehow being a polarised choice between a lower level of corporation tax and pumping more money into the welfare system. We have to acknowledge that the purpose of having a lower level of corporation is not to give breaks to companies; it is about creating jobs and employment in Northern Ireland, and creating greater prosperity. There may well be genuine issues with ensuring that that prosperity is evenly distributed across society, and I am more than happy to have that debate and look at how we can ensure that that takes place.

However, it is important that we reflect on the fact that we have to ensure that we not only support people who are on welfare but invest in them and see how we can move them into a situation where they have fresh opportunities. That means looking in a more general sense around areas like early years education and public health, which are reflective of intergenerational poverty and lack of opportunity. Then there are the very specific interventions that will allow people to move up and off the skills ladder into employment, such as investment in our schools, colleges and universities; investment in employability programmes that the employment service can offer; and building new apprenticeships and new systems of youth training. All of that is very important in giving people, particularly those who come from marginalised and disadvantaged backgrounds, the opportunity to be stakeholders within our economy.

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

**Dr Farry:** Just one second.

In doing that, not only do we address those who are on welfare but we invest in growing our economy.

**Mr Agnew:** I thank the Member for giving way. He outlined a number of things, including investment in skills and investment in early years. How does he envisage us making an increased investment in those areas while,

at the same time, voluntarily cutting our income by £300 million a year?

**Dr Farry:** First, we need to have a sense of balance and proportion about how much money we are setting aside for further welfare support above and beyond the default GB position. I am happy that we are doing some things in that regard.

We need to reflect on the fact that we have massive inefficiencies in the way that we are spending money in our society. We are squandering hundreds of millions of pounds, for example, on managing a divided society. We have a very segregated education system, which is hugely costly. We also have a health service that, left to its own devices, is set to have a financial pressure in the region of 5% to 6% per annum due to costs as a result of our population getting older, demographics changing and drug treatments getting more expensive.

That is not sustainable, so we need to see a realistic plan for how we reconfigure our health service.

Those are all big-ticket issues that go way beyond the efficiencies that have been listed to date in the deal that was announced yesterday. We need to address the issue of progressive forms of revenue-raising as a means of bringing in additional resource. We can do all those things. We can be smart around how we use incentives to encourage businesses to invest in Northern Ireland and grow. At the same time —

**Mr Deputy Speaker (Mr Dallat):** Order, please. I politely encourage the Member to return to the motion before us.

**Dr Farry:** That is grand. I will take your guidance, Mr Deputy Speaker, and bring it very quickly back to the issue of welfare.

Clearly, there are two sides to the coin: supporting people on welfare and ensuring that we create opportunities. There are plenty of ways, through our public finances, in which we can do that.

It is with great sadness that we find ourselves with little option but to support the legislative consent motion. It is too late in the day for us to take through legislation in the Assembly from first principles. Sadly, we lost that with the petition of concern back in the springtime. We have to get on with the issue; it has been debated ad nauseam for several years. We all know the issues, and we know what it is our duty to do. Ultimately, we recognise that it is about good governance and that, most importantly, we have sound public finances and as much money available to invest in our public services as possible. For us not to proceed with the LCM today — or next week, if we had that option — would mean that we had an ever deeper black hole in our public finances, and that is not in our interests. It is not in the interests of our constituents or of Northern Ireland, so it is important that we do our duty, difficult as it is this evening, by backing the LCM.

**Mr McNarry:** In the Assembly, UKIP is the only national party committed to devolved regional autonomy. That is just to emphasise the fact that there are no Tory, Labour or Liberal Democrat Members about this place.

As a long-time supporter of the moving-on stakes — longer than some seemingly recent converts — I seem, for the first time, to be at odds with the twist that devolution is taking as a result of yesterday's agreement that carries

the day in navigating it between now and next May. I see nothing wrong in the motion before us, which covers the long-overdue consent to welfare reform. However, in truth, the Assembly is not consenting to the introduction of welfare reform. The two-party coalition is clearly not agreed on that; rather, it is asking for consent to strip the Assembly of its powers by taking the decision out of our hands and into the hands of London.

*(Mr Speaker in the Chair)*

When people call the encapsulation of welfare reform passing out of our hands a “Fresh Start”, let me commend them for their imagination. Let me also condemn the temerity of those using such a falsehood as some kind of progress in the House. When things, in order to reach agreement, hang by such a tenuous strand, they will inevitably be broken when more tension is applied to the weakness so obvious in the presentation of the motion, which, at the moment, seems to be holding strands together. Let no one be fooled that the tensions are resolved in the motion: in reality, is there an undertone in the motion of a final warning from Downing Street?

#### 5.00 pm

The people out there are, yet again, bewildered by how easy it is to turn a crisis into a victory, to go from bust to boom in a matter of hours and to move from disaster to survival and rescue. It seems now that the people outside are being asked to believe and buy into all things bright and beautiful flowing from this agreement. It is not true; in fact, far from it. I will resist saying that it is like Christmas presents for the poor, because that would belittle the poor and the needy and disrespect their unfortunate circumstances. However, people, no matter who they are, are really not switched on to the nuances in this place when they can see the darkness.

Let me put it this way: it was not welfare reform, cuts to tax credits or Tory cuts that put the Executive into a spin. They did that themselves through the poor and ineffective management of funding that they did not know how best to use or prioritise. It was they who made this country debt-ridden, not yesterday, last month or last year but more than four years ago. They have allowed the management of our money to backslide. I heard it today: they say, “We have done a deal with no further borrowing”. Well, jolly good on you. It is a deal quite clearly that has no further borrowing but makes no case to reduce the borrowing that burdens us from expanding our spending needs and developing the economy.

In effect, the motion, attached to the spin of success in meeting our welfare reform obligations, clouds the fact of a devolved Government voting to transfer power. Who ever heard the like of it? The motion does that. It concedes that Stormont has, in effect, lost its financial independence in the sense that it will become primarily an administrative Assembly judged by its paymasters in London on how effectively we manage the money allocated to us. Without doubt, if the move is to transfer the powers by consent, there must also be a pathway to consenting to have the powers returned. I ask whether a date has been thought of or even set between the two-party coalition by which to bring back the powers that we are tossing away.

The motion has to be discussed in the round of the debate, and consideration must be given to ancillary issues

regarding this agreement that are of legitimate concern to people. There are consequences of transferring power, as in the motion. It is stipulated in section D 4.2 of the agreement that the United Kingdom Government — the Tories — will only:

*“legislate, with Assembly consent, to ensure that the Assembly cannot consider spending plans which exceed the Block Grant allocated by the Treasury or the NIE’s borrowing limits, where planned spending relies on those funding sources.”*

In other words, Ministers, you have been caught out; you have been caught on; and you are not to be trusted. The motion is not built on trust; it is built on a bailout. Mistrust is highlighted for us all to see in the formation of a fiscal council that, in effect, is Westminster’s watchdog on Stormont, making sure that Ministers and Departments behave themselves in the future.

It is actually a move I welcome, because I called for it over a year ago. I called for more fiscal responsibility and a professional watchdog. Of course, the Executive were under no pressure from me. Why would they be? They did not take it under their notice. But Dave Boy came on the scene and, my, how times changed.

It is all financial and linked to our financial responsibilities. I fear that devolution is contemplating taking a backward step not only in resorting to handing power back but, in truth, in finding the Executive wanting in their ability to hold on to power and their refusal to recognise that the sovereign Government and Parliament’s right and role in determining welfare proposals are what we have. That is what Sinn Féin rejected a year ago but has to swallow today. It seems so clear that, on the issue of reforms, the consultative process involving an armed army council could not broker or stand over that Stormont House Christmas agreement, so we have a motion that is worked out to be a massive defeat and a retreat from the bogus stance that no one will lose a penny of their benefits, ever and for all generations. I have heard people saying that that lesson has been learnt, but it was stubbornness and foolhardiness that resulted in that stance, with millions of pounds squandered unnecessarily in payback to London — millions lost that could and would have been of help in alleviating the pain and the suffering of thousands on hospital waiting lists, today and for months, seeking relief. It is appalling that Sinn Féin has been so prescriptive and one-dimensional in this debate and this argument over welfare reform in defining the identity of the vulnerable. It is obvious that, on the Sinn Féin radar of people in pain, people waiting three or six or nine months for an appointment, let alone relief, are not, in Sinn Féin’s eyes, vulnerable. They are not in that category.

The motion is the result of where two cannot agree. That is why we have it. It is a cop-out: “Let’s send the matter across the water”. I actually have no problem with the two combining from here as the only coalition in government in Northern Ireland. As the talks have proved, the other two or three, when it was three, were powder-puff Ministers, holding on to office for kudos. One party even walked out in a huff because it did not trust Sinn Féin. It took eight years to find that out, did it? By the time they recover their ideals and principles, they will have been rewritten by themselves —

**Mr Kennedy:** Hear, hear.

**Mr McNarry:** — into the joker's Christmas stocking, Danny.

**Mr Kennedy:** Everybody is wrong but you, David.

**Mr Speaker:** Order.

**Mr McNarry:** Thank you, Mr Speaker; I welcome that. These rowdies over here — what are we going to do with them?

What I am getting at is this: the transfer of power is a dangerous precedent. It does not resolve things one iota — in this case, overturning Tory policies. In fact, it has done the opposite by reinforcing them. I have always, I trust, been swayed by practical politics, despite the fact that I am usually right. *[Laughter.]* I am swayed by the practicality of the motion, but of course I am not impressed or best pleased, as you might have gathered, with, first, the prevarication, followed by the stand-off, which was all to be rendered impotent by Sinn Féin's feeble rolling over in capitulation last night and endorsing the motion today. Of course it is a motion supporting Tory cuts, and it will be wonderful to read in Hansard tomorrow that Sinn Féin's fingerprints are all over it.

I will support the motion because of the practicalities. It is what I wanted to do a year ago, last Christmas, and what we should have done. I caution that people out there are fed up with the lot of us. They cannot believe that what could not have been done last Christmas is actually being done today. I realise that I am very restricted in this debate from going into my “No guns, no government” argument — where did I hear that so long ago, and where are those people today? — and the shame of an armed army council in control of Sinn Féin in that Government, but it is out there. The motion, in its context and content, is not being given a thought. It is what I said: out there, people do not think that we care any longer, so they do not care about us. Church bells will not ring all over the country to celebrate the transferring of welfare reform to London. As Mr Farry said, the actual doing of the motion in itself represents a monumental failure. Nevertheless, there are vulnerable people who must be taken care of in our country and, perhaps, once we do this, those people will be taken care of.

**Mr B McCrea:** At this time of the evening, one wonders whether there is anything worth saying. *[Laughter.]* I have been asked three times on the way to the Benches how long I will be. Obviously there is no concern about what I will actually say, just how long I will be.

As I have sat listening to previous Members, I have been in the Minister's direct line of sight. I wonder — no doubt he will tell us in his memoirs — what he thought about during this long period. You get quite an interesting read of the body language. I can tell you, Mr Speaker — I mean no disrespect to my colleague Mr McNarry — that also in my line of sight is the page upon page upon page that he has so eloquently delivered to us just now. That is a bit of a challenge.

**Mr Kennedy:** How many pages have you?

**Mr B McCrea:** I actually have but one page of notes that I have taken, having listened diligently.

**Mr McNarry:** Excuse me; I need a comfort break.

**Mr B McCrea:** Mr McNarry needs some comfort, and he is away to get that.

I have but one page of notes. I tried to take some wisdom from the contributions here today. Paula Bradley started off. I got to hear her say that she had looked over the contributions that people had made in the previous debates and found that nobody really had clean hands on this, or something like that. I checked to see what position I had taken in previous debates on the issue, and I was relieved to discover that I have been remarkably consistent and that I have indicated that I will support the motion.

That leads me to something that is worth saying, though: it is all terribly confusing. Some of the people who were against it in principle are now voting for it because they think it needs to be done.

Other Members are against it because we were not given enough information, but they think that it should be done nevertheless. Even Members who argued strongly that it is a good idea took up most of their time saying why they think that there are bad bits about it. All of that gives a terribly confusing image to the public.

### 5.15 pm

I have said in previous speeches that I wish, such are the difficulties of dealing with the important subject of welfare reform, that it was a five-party coalition. In fact, I wish that other parties had been involved in the debate that led to an agreed way forward. These issues are so difficult that they cannot be resolved against a background of political opportunism, because that destroys the public's belief in the body politic. Mr McNarry, who is not yet back from his comfort break — I hope that it is going well for him — said that this was how people look at us. They look here, and they do not see this great debate.

There were some good contributions that I was impressed by. I did not catch everybody's contribution, but I caught Mr Maskey's. I thought that he spoke very strongly and very eloquently. I say that because, nearly every time that I talk to Mr Maskey, he, at best, tells me off and, at worst, tells me that I am talking rubbish. I am a bigger man than that, and I can say that his was a good contribution. I expect people to come out strongly, fight and say that this is the best deal that we can get, so I will not be one of those chiding Sinn Féin for the deal that it got. Sinn Féin negotiated and negotiated hard. I do not know what is in the deal because I have not read the 126 pages, but Sinn Féin believes in what it got and is fighting for it.

In a similar vein, I was aware of the challenges that the DUP had. At the time, the Minister of Finance went to great lengths to explain to the Assembly that we had to pass the so-called phantom Budget — otherwise, we would not have the authority to spend. Yet we passed a Budget that we did not have the resources to meet. Part of the problem was that we could not get agreement on welfare reform. For what it is worth, I understand the difficulties that the DUP and Sinn Féin have tried to address.

Other parties now take some issue with the deal that has been put forward. I am someone who has long advocated opposition. I think that there should be an opposition in any democratic forum, but it should not be opposition simply for opposition's sake, taking an opportunistic stance and saying that we might get a few electoral votes out of it. It has to say that there is an alternative. What this place really needs, in my opinion, is not just an opposition but an



effective alternative, and those of us who disagree with the current system need to come forward with one.

A few issues probably need to be changed. People say, "I would like you to show leadership", but they mean by that, "You are absolutely wrong. I do not agree with you". The truth of the matter is that very few people get thanked for showing leadership in this place. Absolutely the last thing that you want to be doing is showing leadership. It is the ministerial equivalent of, "Yes, Minister, a very courageous decision". Who wants to make a very courageous decision with an election looming? That is why politics in this place do not work.

The issue of tax credits is associated with welfare. Michelle O'Neill made what I thought was a particularly telling comment in her contribution, but maybe not in the context that she meant it. Nevertheless, it was valid. She said that you cannot look at the motion in isolation because it is not just about welfare reform; it is part of a political settlement. I say to her that isolation does not stop there. The harsh reality for this place is that we represent 2.4% of the United Kingdom, so the other 98% of people will take a view about what they do. We do not dictate to people. Hopefully, we go together to explain our difficulties and hope that our arguments will see favour with the people who have the resources.

We spend approximately £20 billion in Northern Ireland and raise £10 billion in taxes. If it were the other way round, we could do whatever we liked and wanted with welfare reform, but that is not the case. We have to go and ask people, "Will you please invest in us? Will you please do something?"

There are certain issues that we may not yet have grasped. A few days ago, the 'Annual Survey of Hours and Earnings, 2015' was published. Would you believe that Northern Ireland topped the league in earnings growth? That, of course, comes from a pretty poor past, considering the impact that the crisis has had on us. However, the issue facing those who attack the Conservatives — I am not arguing for the Conservatives; I am only saying that you must understand the environment that we are working in — is that they think that their policies are working. They think that they have taken action on debt and the deficit, the economy is growing, wages are growing, and the economy will be on a sounder footing.

In dealing with welfare reform, the key issue is that a life on benefits should not be a long-term ambition. That is not what we want to see; we want people to have aspirations and the ability to do better and to get a job or skills. When I look at this negotiation in its totality, what I would like to see — I am not sure that I see it yet — is vision. I would like to see that, OK, we are going to deal with welfare because it is essential in the short term; nobody wants to see anybody disadvantaged, and I think that many people in Northern Ireland will benefit from this deal. However, it is not the long-term solution. We have to find a way of growing an economy, and the only way to do that is by having some form of political stability.

I will conclude my comments by saying that the aspirations of the people of Northern Ireland are that we find a way of working together, accepting that it is difficult and that there are many, many issues that we disagree on. Those who agree on a way forward should form an Executive and work together, but the bigger parties in that Executive

should treat the smaller parties with respect. You should not just treat them as some sort of inconvenience to be dealt with, by the by. Agendas for the Executive come in late. Frankly, even today, when Mr Allister raised his motion asking why we are rushing this so far and so fast, we should have been given the courtesy of being allowed to see the documents. We should have been brought into the conversation. Your electoral mandate is still respected, and you will still have the say, but, if we really want to make the changes in Northern Ireland that we want to see, it is better that we get more rather than fewer people involved.

You have all very kindly listened to me. I hope that I have not gone on too long. I am sorry if I bored anybody. Mr Attwood is not here; I had a joke for him but —

**Mr McNarry:** Go on. Tell us it.

**Mr B McCrea:** Since Mr McNarry has asked, I will. I caught the start of Mr Attwood's speech, but, as some of you will know, I have to go for a daily walk for health reasons. I am proud to say that, having taken an hour's walk around the premises, I came back and, fortunately, he was still on his feet, so I did not miss that much of it. It is great to have such a contribution in a democratic forum.

**Ms Sugden:** From the outset, I have stated that I do not support the Westminster Welfare Reform and Work Bill. In fact, I do not think that any MLA supports it, because, disappointingly, the Westminster legislation focused on chiding the proportionately few who take advantage of the welfare system rather than supporting those who need it most.

I refer to Mrs Bradley's earlier contribution, when she acknowledged a reluctance to use the word "benefit": I agree. For those who need it, welfare is not beneficial. It is a struggle, a last resort, and it is not as far-reaching as it needs to be. I hope that she does not mind me saying that I also agree with her when she says that no party has a monopoly on protecting the rights of the most vulnerable. Social issues should be at the heart of each MLA's mandate. Social issues are not unionist, nationalist, anything in-between or outside of; social issues are people, and, as representatives of people, we all need to put people first. I say again: any MLA who understands the aim of the Westminster Welfare Reform and Work Bill should not support it as legislation on its own.

The Welfare Reform and Work Bill, however, is not without context. Indeed, this context led me and others to vote in favour of the Northern Ireland Welfare Reform Bill earlier this year. Welfare reform is, in my opinion, ultimately not the decision of the Northern Ireland Assembly; the UK Government maintain that power. It was clear in May that the UK Government were not going to concede any more than what was fought for for Northern Ireland, particularly at the beginning of a five-year term and in light of other issues that they felt took precedence over Northern Ireland. I reiterate what I said then: we need to be realistic about what is available to us. Six months ago, welfare reform as presented to the House by Minister Storey was all that was available to us. I am not comfortable saying that, because, regrettably, it was the best of the worst. Although it was doomed, I voted reluctantly in favour.

On rereading 'A Fresh Start' in the wee hours of the morning, Mr Speaker, I did not think that anything had changed in the six months since the parties to your left condemned Northern Ireland's Welfare Reform Bill. I am deeply disappointed and angry about the last six months,

because I fail to see what that time achieved other than to fail the people of Northern Ireland. The UK Government have upheld their position. The agreement yesterday almost reads quite smugly about how they have maintained their line. Even the title suggests that the document is a continuation of the Stormont House Agreement, a second phase of its implementation, if you will.

I have heard much from the parties on this side of the House about why they petitioned the Final Stage of the Welfare Reform Bill in May, but I am lost in coming to any of their conclusions. I suggest that their reasons were not about welfare but were a vain attempt to satisfy a very despondent electorate at that time. Shame on them, because their posturing has served only towards the suffering of the people of Northern Ireland. I do not mean to reiterate what I said earlier this year. However, I will say that serving the most vulnerable goes beyond welfare. The past six months have taken service away from people. I am thankful that we have maintained devolution, but the arguments for devolved power here are weakening. If we are not serving them, what are we doing?

I come back to the legislative consent motion: I will not support it on principle. Frankly, my vote is not required to get it through, although, to be fair, it will finally get welfare reform moving and will subsequently, hopefully, get Northern Ireland moving. However, other than the votes of the DUP and Sinn Féin, no one else is actually required for the motion to go through. That is disappointing, and it weakens the notion of power-sharing that we have fought so hard for. I do not believe that yesterday's agreement goes any way to addressing the failure of our structures here; I actually believe that it affirms it. I will, therefore, take the opportunity — as, I hope, will others outside Sinn Féin and the DUP — to vote against the motion on the principle that the people of Northern Ireland deserve to be represented by all MLAs in the House — all five of the main parties, the smaller parties and the independents — because the people of Northern Ireland gave them that right.

Yesterday's agreement underpins today's legislative consent motion, and that is why I will walk in the "No" Lobby. I note the First Minister and deputy First Minister's foreword in 'A Fresh Start: the Stormont Agreement and Implementation Plan':

*"At the heart of this Agreement is our common commitment to a better way of doing business together."*

"Together". Further, they say:

*"the leadership challenge is to build hope and confidence throughout our community".*

Our community — the people of Northern Ireland — does not have confidence in us. Let us face it: why should they? Many will not even get past the title of the agreement because they have heard it all before. Before they can click on the link to the Northern Ireland Office website, they hear that some MLAs will not support it because they have not been given the opportunity. Therefore, I feel that the authors of the agreement have destabilised it before it has had a chance to be considered.

### 5.30 pm

Ironically, I do not disagree with the document; it has so many incredible goals. It could have more, but it is a start.

However, on principle, I will not vote for the legislative consent motion this evening. Moving forward, I will commit to the agreement, if the authors respect me and my mandate. Currently, that respect is not there, so some work needs to be done.

I thought that I knew respect, but, earlier in the week, I let myself down by letting emotion get the better of me. On taking this seat, I vowed that this would never be about me but only about the people I represent and the people of Northern Ireland. As a leader, I am sorry for not maintaining that position, and I do not mind admitting it, because that is the right thing to do. In moving forward, I hope that others in the House will also consider their leadership, being most mindful of the people who, they hope, will follow them.

**Mr McCallister:** We have been debating welfare reform not only throughout this year but over the past number of years, ever since the coalition Government introduced it. The Minister will not be surprised to hear me say — he has heard me say it before — that I agree with the broad principle of welfare reform, namely that work should pay. We need to look at how we build the aspiration of families. We do not want people to be trapped by welfare dependency, so we need to look at how we break that cycle. I believe passionately that we need to achieve all those things.

The Welfare Reform Bill was defeated on 26 May. If I am correct, you would be allowed to bring the Bill back to the Assembly six months later — on 26 November — so why was that option not explored? I even think that bringing it back, though I am very uncomfortable with accelerated passage, would have been preferable to a legislative consent motion.

Let us look at the context of what we are asked to approve this evening: a Bill, just published, that we have not seen. As Mr Beggs pointed out in an intervention, it is a Bill that could well be amended in a way that is not to our liking or in accordance with our wishes. Of course, we do not know what proposals might come from a panel yet to be fully established. We are being asked to sign what is not quite a blank cheque — it is for £585 million — when we are unsure what we will do or how we will do it. That is a big ask for a legislative Assembly.

It is worth using the phrase "legislative Assembly". Why are we here, if not to legislate? Why are we giving this to Westminster — arguably, a significantly busier legislative body — if not to keep our fingerprints off the Bill and away from the entirety of welfare reform? It seems a bit like the issue of dealing with the past. Legislation could have been brought to the House, but we do not want to touch it and will let Westminster do something. It seems so typical of this place that, when something gets difficult, we come up with the old favourites, such as "Why not appoint a commissioner to look after that?". Recently, there has been talk that we should appoint a chief executive of the health service to keep health out of political control, almost to keep it away from democratic political control. Why not let Westminster deal with the issues, so that we can keep our hands clean?

That is a complete dereliction of our duties as legislators and representatives in a representative democracy. We should not be acting in this manner. It is not the way that we should proceed, because it leaves many questions

unanswered — things like the issues that Mr Agnew raised about the bedroom tax. Are we doing any of the bedroom tax? Is Westminster going to legislate, then we will penalise people, then give them the money back, or are we going to continue to use our £585 million to breach welfare benefits?

I said in a previous welfare debate that the fact that we have 6,600 families in Northern Ireland on over £30,000 of welfare benefits, which is equivalent to a £40,000 salary, needs to be addressed. I do not think that is sustainable when hard-working families are going to be hit with tax credits and are not on that level of support. It is a worry as to what we are going to use the £585 million for. As for the bedroom tax, are we going to change our housing stock? If we are never doing the bedroom tax, is that now something that the Minister is going to put on hold? Were any changes ever going to happen? Will families be moved, as Mr Agnew asked?

We have moved from a mitigation system of £564 million over six years to £585 million over four years. What happens at the end of those four years? Will we create a bigger cliff for people on welfare to fall off, if that just stops and we move completely to the Great Britain system? What happens at that point in time? Of course, we do not know at this stage what that money will be used for.

As I have said in previous welfare debates, if we were serious about changing the way that this society operates, we would invest some of that £585 million in early intervention programmes to tackle literacy and numeracy — all of the things that build up a skills base and educate the population and all the stuff that we need to do to break the cycle for people trapped on welfare dependency. That is what we need to be doing, but we actually seem to be moving the other way and cutting early intervention to pay for some of those payments. That seems to be dramatically counter-strategic to what we want to achieve, so why are we doing that in health, education and across the board? Where is this money coming from, and what are the downstream consequences of it? If you want to skill a population, you have to start in the early years to make sure people have the skills.

It is surprising, but Sinn Féin is almost the party of trickle-down economics. We are cutting corporation tax, but that has a long way to trickle down to people trapped on welfare who do not have the skill set to get jobs or the access to affordable childcare. All those issues are linked, and we do not seem to be addressing them in any holistic shape or form. I regret that very much.

I support some of the changes that the Minister achieved on welfare earlier on, and I would have liked to be in a position to support him and vote on the legislation. However, I cannot vote on a legislative consent motion far too much of which is in blank-cheque territory.

I listened to some of the other contributions. Members of Sinn Féin talked about being elected to make a change and said that these institutions had to work. We would have been coming up to the third Christmas in a row of political crisis talks: Haass, Stormont 1 and Stormont 2. It is the third year in a row that we were approaching Christmas on a deal. We had a deal last year on welfare. That was going along very nicely until all the members of Sinn Féin went up to Derry for the ard-fheis. Suddenly, a petition of concern was threatened, and the Minister pulled the Bill. You could argue that that was maybe all very well.

That was in March. There was great hope that Labour was going to win the election and that we would have a different Government — the evil coalition Government would be gone. However, that did not happen. As Minister Foster put it, if only we had some way of testing public opinion — oh aye, such as a general election. And the Tories won that.

I, as have many Members, have said repeatedly to Sinn Féin that the Tories are the elected Government of the United Kingdom. I may not like it, Sinn Féin may not like it and people in the DUP may not like it, but they are the elected Government of the United Kingdom. The Tories won the election, but still, at the end of May, Sinn Féin was going to do all manner of things: take on the Tories and battle with them. They were a wee bit like their heroes in Greece, who were going to take on the EU and the German Chancellor and do all manner of things. They were going to sort things out, tackle austerity and be anti-austerity. It was all good stuff that made great headlines. What has Sinn Féin come back with? A deal that ends two years earlier than was intended originally. Yes, there is a bit more money to it, but we have no idea what we are to do at the end of the four years. Are we creating a bigger cliff for people to fall off? Are we creating something that this Executive or a future one cannot sustain? Is that what we are doing? When our health service next hits crisis after crisis, what will happen?

Of course, I, like any Member here, want to see the institutions work. I want to see good governance and the Government acting and looking like they are a Government and not being at sixes and sevens on every issue, with part of the Government for something and another part of it against. However, when Sinn Féin lectures us about the importance of the institutions working, I point out that, on 26 May, one of the lead parties in Government signed a petition of concern effectively to torpedo their own Government's policy. Once you added the welfare bit and the mitigation measures, it became Northern Ireland Executive policy. Sinn Féin torpedoed its own Administration's policy, yet we are lectured on making the institutions work.

I want to see the institutions work, and that is why I have to say that I am absolutely amazed at an all-Ireland, Irish republican party giving power back. The devolved regional Assembly that is the Northern Ireland Assembly is giving powers back to Westminster to fix our mess because we have not been able to get our act together. We have kicked the can so far down the road that we have run out of road. What message does that send out about the functionality and fitness for government of some parties here? That, to me, seems a surprising climbdown and change of direction. Sinn Féin has moved from a position of wanting more powers for the Assembly. Alex Maskey talked about getting our hands on more fiscal levers. That is an outcome that I would agree with. I would love to see the Assembly have more fiscal levers, but you would seek those only when you had reformed the Assembly and the Executive and the way in which they work. You would do it only when you could prove that you can manage what you have.

#### 5.45 pm

The fact that we now have to set up a fiscal responsibility watchdog or unit and maybe go through a few years'

probation to see whether we can get our house in order and our Budget back into line to the approval of Treasury is not exactly setting us up for getting our hands on more of the levers of fiscal power.

I am amazed at people making the argument that they want to take on the Tory Government. When you read the document, it sounds like the Tories did not move that far on many issues: "You can mitigate welfare cuts, but you have to take it out of your block grant. You can devolve corporation tax, but you will take it out of your block grant". Those are choices that the Executive and Assembly have and should make.

I would like to have been in the position to support the Minister today in the changes that he needed to make to welfare. I was and still am very sceptical about offering up such a large sum of money — over £0.5 billion — for mitigation measures when we are not sure what exactly we will do. Are we going to use the money just to breach a welfare cap or to invest in social mobility, aspiration and skills to break the cycle? Is that where we are going with this? I would like to see much more detail on that, rather than giving all that money back to Westminster to decide. It is too much to give back. We should have been shaping this policy.

**Mr O'Dowd:** Will the Member give way?

**Mr McCallister:** Certainly.

**Mr O'Dowd:** There is no suggestion anywhere in the legislative consent motion or the document that we are giving back £585 million to Westminster to do anything with. It will be up to Eileen Evason's group to come back to the Executive and the First Minister and deputy First Minister to set out how best we use that money to mitigate the impact of the welfare cuts being imposed on the Assembly by the Westminster Government.

**Mr McCallister:** I am grateful for the intervention, Mr Speaker. The second half of the legislative consent motion proposes for the Assembly's approval:

*"the draft Welfare Reform (Northern Ireland) Order 2015; and the Executive's proposals to enhance payments flowing from the agreement announced on 17 November 2015."*

It is in the legislative consent motion. I am not suggesting that you are handing the money back, but the legislative mechanisms that you will use to spend the money are in the legislative consent motion. That is what you are being asked to sign up to. That is why I am so surprised that you and your colleagues are so supportive of this approach. The Minister could have brought his Welfare Reform Bill back on 26 November. He could have gone for accelerated passage or for a normal six-week Committee Stage given the fact that the Bill had been through all the scrutiny, and we would have had time to deal with the issues. We are now giving them to a much busier legislature to deal with, mainly, I have to say, because you do not want your hands anywhere near this. It is regrettable that we do not have the courage as legislators elected by people in Northern Ireland to make the legislative changes to their benefit or, indeed, explain the changes that we have had to make. That is a retrograde step.

As I said, I would like to be in a position to support the Minister on welfare, because I am acutely aware of the

impact that this has had on our Budget and, indeed, on Northern Ireland's image around the world. Effectively, we almost threw ourselves off the fiscal cliff. We nearly crashed our system by getting to the point of running it into the ground. A few months ago, questions were put to the Minister about whether he would even have the money to pay certain benefits by this time of the year and whether we would be fit to pay farmers single farm payments at this time of the year. All of those issues were being raised, such was the crisis — the self-made crisis; a crisis made in Stormont — that we imposed on ourselves. That these issues could not be sorted out is something that we should all be deeply ashamed of. Considering that we have been negotiating on welfare issues for three years or more —

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

**Mr McCallister:** Yes.

**Mr Dickson:** I appreciate what the Member has been saying, but, to come back to the subject of the £585 million, there are those — I am not suggesting for a second that you are one of them — who suggest that this is money that the British Government have given to us as an extra. The reality is that this is money in the Northern Ireland block grant to be used for hospitals, roads and education. The decision that Sinn Féin and the DUP have made and others will support to a certain level is that that money will be taken out of the block grant and used to protect the most vulnerable — the recipients of welfare. This is not new money; this is our money being reallocated inside this Budget.

**Mr McCallister:** I am grateful to Mr Dickson for that, and I agree entirely. There is a perverse logic to the idea that you can take money out of hospitals and not affect the vulnerable and the sick. Once you take it out of health and social care, bearing in mind that our health and social care services are completely linked, you can hit very vulnerable people. In fact, I often suggest that, when you attack the health budget the things that tend to be dropped are what you might call the "softer services". That could mean a bigger waiting list for domiciliary care or somebody not getting their physiotherapy within an appropriate timescale. All those things are affected.

Our health service has been driven into crisis, with a huge waiting list. Now, £40 million more has been allocated, but that is the price that we have paid for this level of negotiation and the feeling that we are somehow going into battle with the Tories. The Tories do not seem to have blinked on this. It is up to others to decide who blinked, but I do not think that it was the Tories.

I regret that I will not vote with the Minister on the legislative consent motion this evening, as it is asking too much of me and my colleagues as Members. He has the numbers to get it through anyway, so I am sure that he is not too worried, but, on the principles of welfare, I would be more supportive of his approach and what he negotiated originally and some of the safeguards. However, this approach — the legislative consent motion — represents a complete dereliction of our duties as Members of a legislative Assembly.

**Mr Storey:** I will make some concluding remarks on the debate this afternoon. I find it bizarre that there are those in the House who claim to be unionists and see it as dangerous or even undesirable to have any working relationship with the sovereign Parliament at Westminster. I find that a strange position. There is no



doubt that they will beat their chests and tell people that they are committed unionists. However, when it comes to a relationship and a working arrangement with the House of Commons or when it comes to the legislative arrangements at Westminster, that suddenly becomes undesirable; it suddenly becomes dangerous. I find that strange for those who claim to be unionists.

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

**Mr Storey:** No, I will make my way through this. I have listened to a lot in the House today, and there are a few other preliminary comments that I wish to make.

Here is the other problem: there are some in the House to whom it would not matter if we said it was black, because they would say that it was white; if we said it was right, they would say that it was wrong. It would not matter what arrangements we came up with: it is always easy to find fault.

Why do I say that? Because of our experience and because, in the past, as a party, we were very good at finding fault, difficulties, problems and issues.

That leads me to another statement. There comes a time when you have to face certain realities. You have to deal with things as they are, not as you would like them to be, especially when you do not have all the control and ability to do everything that you want to do. We were faced with certain realities, like the impasse that was created by what had happened at the beginning of the year and the outcome of the Westminster election in May. Those created a set of circumstances and a situation that we had to deal with.

We could have said that it is too difficult or challenging. We could have said that we would take the easy option, but we have made a decision to do what we have done. I hear a lot of people talking about the £585 million. Let me remind Members again, as I have done repeatedly in the House, that the spend on welfare in Northern Ireland is in excess of £4.6 billion. Let us remember that that is money that goes to our pensioners. It is money that goes to families who are in need and have particular issues that some Members in the House know nothing about. We sometimes have a very condescending attitude to the way in which we present and deliver our welfare system. Between now and 2020, on the projected spend on welfare, we will have a welfare budget in excess of £6 billion. It is easy to have throwaway lines. It is easy to have a political comment and use that as a cover for saying that you are taking a principled position.

Members made many comments, and I am not going to go through them all tonight. I will deal with one issue now and come back to some of the specifics that Mr Attwood mentioned. I appreciate the work that he and his colleagues have done in recent days. It is not work that was done and shabbily discarded. I appreciate his comments about the efforts that my officials and I have made. That work will continue. Today, we are not lowering the drawbridge on welfare, with my handing over all the power and responsibility to the Department for Work and Pensions, even though the Member still believes that I am in the payroll of that Westminster Department. We have much more work to do in the weeks and months that lie ahead. We will apply ourselves to that in the future, as, I trust, I ensured that we applied ourselves in the past.

I may not cover particular issues, but I will endeavour to come back to those Members in writing in the next number of days.

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

**Mr Storey:** No, I am going to —

**Mr Lyttle:** Very briefly.

**Mr Storey:** For someone who has not been in the Chamber —

**Mr Lyttle:** I have been in the Chamber.

**Mr Storey:** — for a lot of the debate, I am not going to give way. I want to make progress.

Fearghal McKinney raised a valid point about child poverty targets. Let me deal with that. The Welfare Reform and Work Bill includes the abolition of the duty to report child poverty targets. However, the agreement refers only to the welfare aspects of that Bill, which do not include child poverty provisions. I will give the Member even more information about that, but it sets the context, and I think that it answers his query about child poverty targets.

## 6.00 pm

He also raised the issue, as did Mr Dickson and other Members, that we are being asked to diminish aspects of devolution and that we are somehow on a road to diminishing the devolved Administration. Let me make it very clear that social security remains a devolved matter and will remain within the competence of the Assembly. The arrangement does not diminish or dilute the legislative competence of the Assembly, nor does the creation of the panel to be chaired by Professor Evason. The period during which Her Majesty's Government will have a parallel power is limited — I think that this answers Mr McNarry's point — to the time it takes to ensure that welfare reform can be achieved in a way that reflects the needs of Northern Ireland, and also ends the imposition of financial penalties. Members, it is time that we realise that we could not go on in the way that we were. There had to be an arrangement and an agreement that addressed those issues.

Mr Beggs referred to the amendments and provisions agreed in previous consideration of the Bill. I reiterate what I said in my opening comments. I reassure Members that the Welfare Reform (Northern Ireland) Order 2015 will reflect the amendments and provisions that were agreed by the Assembly at Consideration Stage and Further Consideration Stage of the Welfare Reform Bill. I also reiterate this: what are we about? We are about endeavouring to create a fair, affordable and deliverable welfare system.

Mr Beggs also asked about the allocation of the £60 million for tax credits in each of the four years. The Member will be aware that my Department published information some time ago in relation to the impact of the Chancellor's Budget announcement on tax credit customers in Northern Ireland. That information is available for Members on the Department's website. The information showed the impact that reducing tax credits would have. We have to have a system that, as I have said, is affordable. We have ensured that we establish the independent panel to bring forward recommendations on how best we can spend the allocated £60 million. Many of us have been spoken to by various organisations that have raised serious concerns about tax

credits. Again, this information is available to Members. When you look at the breakdown across our constituencies, you see that very few, in fact none, are not impacted. This tries to go some way towards addressing that.

Mr Dickson raised concerns about the Assembly's scrutiny of the regulations. The regulations in relation to the draft Welfare Reform (Northern Ireland) Order will go through the Westminster process, except for any regulations that are necessary to implement the Evason group's recommendations for mitigation. Those regulations will be draft affirmative and, therefore, must be subject to Assembly debate and approval before they can be made. There is no formal role for the Assembly or its Committees in scrutinising the regulations that flow from or follow the Westminster process. The Member will realise that is the case. However, regulations under the remit of the mitigation schemes will be brought to the Assembly.

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

**Mr Storey:** Yes.

**Mr Dickson:** I thank the Minister for the information. In a sense, I am not commenting on what he has said to us about a lack of scrutiny by the Committee in regard to the regulations as they pass through Westminster; it is rather more to comment, with total and utter amazement, that the Chair of the Social Development Committee, Sinn Féin Member Mr Alex Maskey, has agreed to a process that allows that to happen, given the intense scrutiny that he and his party colleagues have, in the past, attached to welfare benefits.

**Mr Storey:** I thank the Member for his question, although I think that it is better answered by the Chair of the Committee as opposed to me. You have posed the question, and I am sure that his colleagues will convey that question to him.

I have a few comments in relation to Mr Attwood. As I said at the beginning, I appreciate the work that he has done. I also endorse his comments regarding Professor Eileen Evason and the sterling work that she has done down through the years. I appreciate the fact that she has agreed to undertake this task. It will be challenging; no one is in any doubt about the difficulties. The professor brings a wealth of experience and understanding of the issues from a legislative point of view, and also from a very practical point of view about how to bring about an agreed position with regard to the amount of money that has been set aside.

Again, I thank him for his insight into many of the issues that he raised. They are practical and deal with the day-to-day modalities of how, when you have a piece of legislation, it comes into existence. One of those issues was about child poverty and the legislative consent motion before the Assembly. Let me give him some assurance on that issue. The legislative consent motion before the Assembly today has nothing to do with child poverty. The Member is correct in that there are provisions within the Welfare Reform and Work Bill that relate to the proposals on child poverty that is currently measured and reported on, as well as proposals going forward. However, the agreement or the consent that is being sought in principle — it deals with the issue that he raised with regard to "in principle" — relates to the social security aspects of the Welfare Reform and Work Bill only. That is the only sensible approach, as the measures in the Bill being

considered by Westminster build on the reform measures introduced gradually across the UK since 2012.

Members, let us remind ourselves that this process of welfare reform commenced in 2012, and there have been many challenges and difficulties. Therefore, it is disappointing that, having started that journey in 2012, some Members are still seeking to hold principled positions of opposition to this and still cannot see the merit and the value in trying to find a solution to the problem.

Mr Agnew also —

**Mr Attwood:** I appreciate the Minister's giving way, and I appreciate his comments.

You have created certainty on the issue of child poverty in the Welfare Reform and Work Bill. Will you now create certainty on clauses 7, 8, 9, 12, 13, 14 and 15 of that Bill? Those clauses touch on the benefit cap; the review of the benefit cap; the freeze of certain social security benefits; changes to the child element of universal credit; the employment and support allowance work-related activity component; the universal credit limited capacity for work element; and the universal credit work-related requirements. Is it the case that all seven of those matters in the current draft Bill are the ones that have been agreed in principle? If not, which ones have been agreed in principle?

**Mr Storey:** I thank the Member. Again, the Member demonstrates that he takes a keen interest in the issue and has a working knowledge of the matters that he raises. That is why I made the comment at the beginning that there are issues that I want to consider, and I will respond to the Member on those particular issues. The one relating to child poverty is clear on where it sits with regard to the issue, and I assure the Member that I will write to him on the issues that he raised.

I better be very careful about how I say this, and I do not say it tongue in cheek, but I want to put to bed the issue of the bedroom tax. How many times do we have to say that the Executive have agreed that it will not be implemented in Northern Ireland? That is the reason why we have set aside money for it.

As Members are keen to go through all these documents and refer to particular paragraphs and comments, I refer them to 1.4 of section C of the Fresh Start Agreement, which states that, within welfare funding, it has been agreed that the so-called bedroom tax will not apply.

Secondly, the Executive, as Mr Agnew referred to, have set out the way in which the matter will be dealt with. We are setting aside money in the welfare funding pot to pay the Treasury the cost of not applying the bedroom tax. We have made it very clear that it will not be implemented, and that is why we agreed what we did.

There is an issue to which I, as Minister for housing, have to give consideration. That brings us to a debate that is not for today, but it is one that we must have very soon, and it is on the structures and shape of housing provision in Northern Ireland. There are huge issues, and Members from all parties in the House regularly come to me about particular issues in their constituency. We have the social housing reform programme, and there are things that need to be moved on a lot more speedily to address our serious housing issues, but we have said that this element — the bedroom tax — will not be implemented.

Mr Agnew raised the issue of sanctions. I assure him that the Department has not, and will not, set targets for sanctions and benefits. We do not do it now and have no intention of doing it in the future.

I conclude by simply saying to the House that we have a choice tonight: approve what is set before the Assembly as a means of dealing with the impasse and the political realities; or allow the situation to continue to fester and, ultimately, have an agreement that would collapse and lead to the institutions coming to an end. What we have heard from the public in recent days is that, while they may have reservations about many individuals in the House and about the way in which we behave in the House, they still want us to make progress. They want us to do our job and our duty: to deliver for the people of Northern Ireland, with all the difficulties that that brings. Therefore, I ask the Assembly to approve the motion before it.

*Question put.*

**Some Members:** Aye.

**Some Members:** No.

**Mr Speaker:** The Ayes have it.

**Some Members:** No.

**Mr Speaker:** I require a simple majority.

**Some Members:** No.

**Some Members:** Aye.

**Mr Speaker:** I require a simple majority, and it is quite evident and clear to me that the Ayes have it.

**Some Members:** No.

**Mr Attwood:** On a point of order, Mr Speaker. Subject to your authority, if even one Member persists in saying no, my understanding is that, in those circumstances, there is an obligation to have a recorded vote.

**6.15 pm**

**Mr Speaker:** I dispute that that is the case should one Member say no. I recognise that a number of people said no, and I am prepared to concede that that can be recorded. In case we set a new standard, one no would not be sufficient to record that opposition under any circumstances. However, because there were a number of them, we will divide. We will clear the Lobbies and collect the votes.

*The Assembly divided:*

*Ayes 70; Noes 22.*

## AYES

*Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyons, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan,*

*Mr Maskey, Mr Middleton, Mr Milne, Lord Morrow, Mr Moutray, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Pengelly, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Storey, Mr Weir, Mr Wells.*

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

## NOES

*Mr Agnew, Mr Allen, Mr Allister, Mr Attwood, Mr Beggs, Mr D Bradley, Mr Cochrane-Watson, Mr Cree, Mrs Dobson, Mr Eastwood, Mr Gardiner, Ms Hanna, Mr Kennedy, Mr McCallister, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr Rogers, Ms Sugden, Mr Swann.*

*Tellers for the Noes: Mr McCallister and Mrs McKeivitt.*

*Question accordingly agreed to.*

*Resolved:*

*That this Assembly consents to the Northern Ireland (Welfare Reform) Bill 2015 being taken forward by the Westminster Parliament; approves the welfare clauses of the Welfare Reform and Work Bill as initially introduced at Westminster; the draft Welfare Reform (Northern Ireland) Order 2015; and the Executive's proposals to enhance payments flowing from the agreement announced on 17 November 2015.*

*Adjourned at 6.28 pm.*





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# Northern Ireland Assembly

Monday 23 November 2015

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Ross:** On a point of order, Mr Speaker. Last Monday, during the Second Stage of the Human Transplantation Bill, the Member for Upper Bann Mrs Dobson claimed that Ulster Rugby:

*"has been assisting and helping to promote the move to a soft opt-out system." — [Official Report (Hansard), Bound Volume 109, p249, col 1].*

I questioned the accuracy of that statement and asked Mrs Dobson to reflect on it, but she robustly refused to do so. It is my understanding that the chief executive of Ulster Rugby has now written to you, Mr Speaker, to advise that Ulster Rugby does not support her campaign to move to a soft opt-out system and to ask that the record be corrected accordingly. Mr Speaker, how can that best be achieved?

**Mr Speaker:** The Member has put the matter on the record, and I am entirely satisfied that it has been dealt with appropriately by the Minister. I have indeed received the letter and placed it in the Library. I understand that Mrs Dobson has written or intends to write to every Member to set the record straight. I am therefore satisfied that no further action is required by me.

## Ministerial Statement

### Culture and Arts Strategy Consultation

**Mr Speaker:** The Minister of Culture, Arts and Leisure wishes to make a statement.

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Go raibh maith agat, a Cheann Comhairle. Le do chead, ba mhaith liom ráiteas a dhéanamh os comhair an Tionóil faoi lainseáil comhairliúcháin ar dhul chun cinn na straitéise ealaíon agus cultúir.

With your permission, Mr Speaker, I will make a statement to the Assembly announcing the launch of a consultation to develop a culture and arts strategy. I have chosen to make the statement to launch the consultation because I believe passionately in our arts and culture. I believe that arts and culture deserve to be enjoyed, supported and funded and to be accessible, equally, by all. That is an important and fundamental right, and I believe that its importance warrants a public statement. I hope that the consultation will lead to a new and forward-looking strategy for arts and culture in the North of Ireland from 2016 to 2026.

In January of this year, I established the Ministerial Arts Advisory Forum (MAAF), under the chairmanship of Mr Bob Collins. The forum included representatives from the Department of Culture, Arts and Leisure; the Grand Opera House; the MAC, Lyric and Playhouse theatres; Beat Carnival; Community Arts Partnership; Belfast Film Festival, Féile an Phobail; the Arts and Disability Forum; Young at Art; the Arts Council; New Lodge Arts; Audiences NI; the Crescent Arts Centre; and ArtsEkta.

Following a number of meetings, the forum developed a set of proposed aims and themes for a culture and arts strategy. This consultation document develops the input from the ministerial arts advisory forum. I welcome its involvement and contribution to this important process thus far. I want to put on record my appreciation to the members of the ministerial arts advisory forum.

Arts enrich the lives of individuals, communities and wider society. Culture is all around us and belongs to everyone, and arts are an intrinsic part of our culture. In my time as Minister of Culture, Arts and Leisure, I have made it a priority that the work across my Department is embedded in the principles of promoting equality and tackling poverty and social exclusion. In my view, arts and culture provide an excellent platform to promote those principles and, more importantly, to see how they can translate into making real difference on the ground in hard-to-reach areas and areas of isolation.

Arts and culture can and should be open and accessible to everyone. They should not be viewed as rightful entertainment for some and beyond the reach of others, whether financially or simply by perception or understanding of what arts and culture means. They should be available to all. I want people of all ages, backgrounds and abilities to have the opportunity to participate in and enjoy the arts and cultural experiences of their choice. I acknowledge that there is a balance to be struck between access and quality and a need to ensure that, by widening access and participation in arts and culture, quality is protected. The principle of equality should be fundamental and underscore all those ideals. Very importantly, making arts and culture available to everyone should not be interpreted as a path to diluting the arts. Arts and culture matter to people. Everyone does not make the same cultural or artistic choices.

Access and participation in arts and culture can transcend the internationally renowned performances in our theatres to the weekly rehearsal for a play to be performed at a local community centre. Who knows where or what background our next international star will come from?

In sports, men and women may not make the Olympic teams, but that does not diminish their enjoyment or commitment to their chosen sport. Many thousands who do not participate in sport still achieve great enjoyment and pleasure from participating in events as a spectator. Not all children who play football on a Saturday morning may reach international level, but there is still great enjoyment to be had. Our arts and culture should be accepted and valued in the same manner across all sections of the community.

Carnivals, pantomime, traditional and popular music and pipe band competitions all engage highly successfully with a range of people. The impact of arts on children, people who are ill and those with dementia demonstrate the very personal power of the arts. Those and many more examples resonate with people and within the community.

I am pleased today to reiterate my support for and appreciation of the value of the arts. Today's launch of a consultation on a 10-year strategy, which I believe should be similar to the highly successful Sport Matters strategy, is a sign of my firm commitment to arts and culture. I believe that it is essential that there is a clear, overarching strategy for arts and culture that transcends and cuts across all of government; a strategy that recognises the true benefits of access and participation in arts and culture and makes equality central to its aims; a strategy that is underpinned by appropriate government recognition and support.

I believe that arts and culture should be given a higher priority when it comes to Budget allocations. In my time as a Minister, I successfully argued for in-year funding to support arts and culture and for interventions for marginalised and disadvantaged groups. Arts and culture are an obvious way to build on the principles embedded in Delivering Social Change and Together: Building a United Community. Through strong leadership, innovation and government support, they can help to move us from a community emerging from conflict to a shared community and a more cohesive and peaceful society. Culture and arts are also vital contributors to the economy and to social and economic regeneration. I want to make sure that our arts and culture sector is fit for purpose, promotes and supports equality and social inclusion and meets the needs of a modern, digital society.

Our rural areas are also equally important. Equality of access and participation also means regional and geographical access.

It is not enough that quality arts are centred in towns and cities; it is vital that the outreach extend across the whole of the North.

We already know that arts and culture provide a platform as an economic driver, create job opportunities, support tourism and promote the North of Ireland on the international stage, as well as bring communities together. We have many examples such as Culture Night, Belfast Mela, Fleadh Cheoil na hÉireann, the Walled City Tattoo, City of Culture, the Beckett Festival, and Pride. I could recite many more.

I want arts and culture to be a serious and important career choice for our children, one that is fully recognised through our education, training and employment systems. The creativity and specialism in the creative industries has long supported the wider economy. Those industries are well recognised as key drivers of sustainable economic regeneration and job creation. Ultimately, I want to deliver a strategy that underpins all those benefits and supports us all in moving towards a civically engaged, internationalised, vibrant, progressive and cohesive society. I want to deliver a strategy that provides equality for all. I also want to deliver a strategy that is sustainable and which develops our heritage and our cultural and artistic resources and ensures a lasting legacy for future generations. Therefore, I encourage a wide range of responses to the consultation. Make your views known, particularly if you have something to add to the proposals.

There has been much focus in recent weeks on the arts and culture sector, particularly in light of decisions that I had to take to reprioritise my Department's budget. In that regard, it is worth stating to the House that my Department's opening budget position for 2015-16 was about £10 million — approximately 10% — less than in 2014-15. From that starting position, funding to the arts was undoubtedly going to be impacted. I am pleased to say that, as a result of funding reallocations as part of the November monitoring round, I successfully secured reinstatement of funding for the arts and sports. I was delighted to announce last Thursday that £620,000 has been reinstated to the Arts Council's budget. That funding can now be passed on to the 32 arts organisations that had been impacted by the earlier cuts.

I have listened to many representations made to me over recent days and weeks. I witnessed the passionate protests made in the grounds of the Assembly recently and pledged to do my utmost to secure additional funding so that some or all of the money taken from arts organisations could be reinstated. I made a strong case for its reinstatement, and I am pleased that Minister Foster took account of that in the reallocation of moneys. I thank her again for listening to my arguments.

As I have consistently said, cuts to the block grant by the Tory Government are causing huge difficulties for the Executive and are having a detrimental impact on front-line services. The culture, arts and leisure sector is a highly valuable sector and one that brings a multitude of benefits to those who actively engage and participate in it. I believe that it deserves to be financed publicly to the requisite standard. That is not to say that culture and arts can be

given an endless pot of money. However, I firmly believe that there has, for a long time, been a misunderstanding of the valuable services delivered by our arts and culture organisations, particularly how they can promote equality and tackle poverty and social exclusion. I want arts and culture to be recognised as an equal partner when Ministers discuss the allocation of budgets; I want arts and culture to be recognised for the tremendous benefits that they bring to our community, our economy and, more important, to the lives of the people who participate in them.

I look forward to the consultation in the time ahead and to receiving responses. This is a public conversation on how we, as a society, want to support arts and culture. I know that arts and culture are dear to many people here; the recent attention focused on funding to the arts proves that. I ask that all stakeholders, including politicians in the Chamber, are energised to help me to make a resounding case for appropriate and sustainable funding for arts and culture as we move forward. Access to arts and culture is a right for everyone; it is not merely a privilege. We can all agree on that. Arts and culture deliver a range of benefits to people who participate and engage in them, not least in terms of mental health and well-being. Let us make sure that their many benefits are maximised for everyone.

When finalised, the strategy will be the first overarching, cross-departmental strategy for arts and culture in the North of Ireland.

Tá mé tiomanta don cheart bhunúsach gur chóir go mbeadh deiseanna ag gach duine sult a bhaint as na healaíona agus as an chultúr. I am committed to the fundamental right that the opportunities to enjoy the arts and culture should be available to everyone. I hope that that aspiration can be fulfilled by delivering a successful, engaging consultation to inform future direction. Go raibh míle maith agaibh.

12.15 pm

**Mr McCausland (The Chairperson of the Committee for Culture, Arts and Leisure):** I suppose I welcome the publication of the document insofar as we have been waiting for it for some time.

Two themes strike me on reading it, and it is only an initial reading. There is a strong focus, as it says on the cover, on:

*“Improving society and outcomes by promoting equality and tackling poverty and social exclusion.”*

The other aspect of the development of the arts, which arts organisations feel strongly about, is the inherent value of the arts themselves in addition to the benefits that they bring generally to society.

It strikes me in looking at the document and comparing it with the original project initiation document from September 2014 that we are well behind in timescale. The document of 16 September 2014 said that the document would be going out to consultation in April 2015, and we are now at the end of November. It said that it would go out for 20 weeks' consultation, and I see that that has now been reduced to 12 weeks, because 20 weeks would have taken us through to the election. Even with the reduction in the consultation time to 12 weeks, if that ends in the middle of February, it will take more than four weeks for a consultation process to be properly considered by the Minister. That would take us through to around St Patrick's

Day, which would mean that you are almost getting to that point with purdah and so on where any action or decisions around this are almost impossible, and that is disappointing.

In that context, when did the Minister or her Department receive the document from the two groups involved in the process — the ministerial advisory group and the cross-departmental group — and why has it been so late in coming forward? How does she propose to deal with the fact that a proper examination of the consultation responses will take us through almost to the election?

**Ms Ni Chuilín:** I thank the Member, the Chair of the Committee, for his statements and, eventually, his questions.

I received the final draft consultation in early summer. Given the work that we needed to do on the consultation, and then given the period that we were in with the Stormont House Agreement talks, in my opinion today was the best opportunity for me to publish the consultation. A 20-week consultation would not have allowed me to provide any comments or even to try to prepare a way forward, particularly for the new Department for Communities. That is why it was reduced to 12 weeks.

I am pleased that the Member agrees that there is a need for an arts and cultural strategy. I know that through his work and other work, particularly around Ulster-Scots culture and heritage, he will use his influence to talk to that community and communities to ensure feedback to the consultation.

Many artists in the culture and arts sector are probably some of the worst paid. We need to ensure that they are not impoverished as a result of a new strategy. As well as that, we need to ensure that opportunities, particularly in cities and towns, but more importantly in rural communities, are availed of.

It is an opportunity for all the elements included in the statement — it was a lengthy statement — to try to ensure that we have full and robust feedback into the consultation. I believe that I have enough time to ensure that whoever comes behind me finds the new Department in a better place than I found the Department of Culture, Arts and Leisure when I came in.

**Mr Speaker:** Before I call the next Member to speak, I remind Members that I will be unable to extend the same leeway as I extended to the Committee Chair. Please come directly to your question.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom buíochas a ghabháil leis an Aire as an ráiteas sin. Given the importance of traditional music and the fact that Fleadh Cheoil na hÉireann brought some £43 million into Derry and the north-west area, is there an opportunity in the arts and culture strategy for a greater reflection of traditional music?

**Ms Ni Chuilín:** The short answer is yes. The Arts Council recently had a review of the traditional music sector. I know that the Member is aware of it through his work with Comhaltas. As recently as last week, I was talking to a group of young people who wanted to know what support they could avail themselves of and what opportunities there were for support in the future for kids who are trying to use music — pop or rap — as a way of working through crime prevention initiatives on interfaces. I advised them about the consultation and encouraged them, as

I encourage the Member and everyone else, to use the opportunity to make their views known. We need to ensure that this is as inclusive as possible of age, gender, political background and where people live.

**Mrs McKevitt:** I thank the Minister for her statement. A few weeks back, at the start of November, the Culture, Arts and Leisure Committee met and engaged with a number of arts groups that were established as part of the Ministerial Arts Advisory Forum, some of which you mentioned. After discussion on how we could go forward with the strategy, they indicated to me that the forum had not actually met. That was only a few weeks ago. Will the Minister outline to the House how many times the forum has met, when it first met and what communication those groups offered as part of the strategy?

**Ms Ní Chuilín:** I established the ministerial arts advisory forum in January this year. I do not have the details at hand, but I will get a breakdown of when and how often the forum met for the Member As recently as last month, I was speaking to the Arts Council, which raised the expectation of the strategy coming forward. I told the council that it would happen before the end of November. I was not asked for a meeting of the forum before that, but I am certainly happy to give the Member those details and to bring them forward. Other members who did not appear before the Committee have not indicated to me that there is a problem with meetings or their frequency. I will certainly provide the Member with those details.

**Mr Cree:** I also thank the Minister for her statement; it is helpful. She mentioned the “balance ... between access and quality” a couple of times. Will she explain exactly what she means by balancing the two and how, in that sense, quality is protected?

**Ms Ní Chuilín:** I have heard an argument voiced by some, albeit a minority, who feel that a particular focus on access and the participation of hard-to-reach communities would somehow dilute or dumb down the quality of the arts because of the funding or support available. A small group of people hold that view, but it is not the case at all. I assure people that we need to concentrate on where the specialities lie. Some people, for example, work particularly well with people in a hospital or healthcare setting. In the same vein and manner that the Sport Matters strategy involves other Departments and bodies, the arts and culture strategy will, hopefully, do the same. That should mean that other Departments and bodies have a role to play in distribution to the arts and culture sector.

We need to ensure that quality is not dumbed down. I do not accept that argument, and I never have. If anything, we will ensure greater outcome and output for the people involved and, hopefully, better sustainability for all in the future.

**Ms Lo:** I thank the Minister for her statement and welcome the consultation. As the Minister is aware, Northern Ireland has the lowest rate of public funding for the arts in the whole of the UK and the Republic of Ireland. What safeguards will there be in the new strategy to ensure that the arts and culture sector is adequately resourced, not just to survive but to grow and thrive?

**Ms Ní Chuilín:** Funding in other jurisdictions — particularly in the South, but also in Wales, Scotland and England — is proportionate. That figure does not take into consideration the money given to the arts and culture sector by other bodies and Departments, and I think that it needs to do so.

Notwithstanding that, do we need to ensure that there is more money? Absolutely. Do we need to ensure that there is better sustainability? We absolutely do. I believe that other Departments have a role to play in the delivery and sustainability of arts and culture across this island, particularly in the North. There is so much that we can do collectively to get a better outcome for us as a community. This consultation provides us with an opportunity to do just that.

**Mr Dunne:** I thank the Minister for her statement. Can the Minister assure us that the strategy includes an equality impact assessment to ensure equality of funding for festivals and events, particularly in unionist areas?

**Ms Ní Chuilín:** I will ensure that an equality impact assessment is done on all aspects of feedback from the consultation. Ensuring that there is particular funding for unionist areas is the complete opposite of an equality impact assessment. However, if the outcome is found —

**Mr Humphrey:** You would know all about equality.

**Ms Ní Chuilín:** However, if the outcome shows that there is a disparity in funding, it will be flagged up in the equality impact assessment. The good thing about equality impact assessments is that they are based on evidence and fact, not on rants from Back-Benchers.

**Mr Speaker:** When Members ask a question, they should have the manners to listen to the answer. If I hear another remark such as the one that you have just made, Mr Humphrey, I will respond immediately. It was completely out of order, and I think that you are well enough aware that that is the case.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister’s statement to announce this consultation. Minister, will you ensure that the strategy is well embedded in the 11 new super-councils?

**Ms Ní Chuilín:** The short answer is yes. The 11 new super-councils played a very proactive role, as did the old councils, in the roll-out of the Sport Matters strategy through the implementation group. I anticipate that the same energy and focus will be brought to our 10-year arts and culture strategy. I know personally that the role Belfast City Council plays locally in the arts and culture sector is valued. I believe that each council has a lot to offer to the sector.

**Mr G Robinson:** Why were no organisations based in rural areas included on the ministerial advisory forum?

**Ms Ní Chuilín:** Some of the organisations work right across the North. I know of some of the work that the groups have done, and done very well. They do it to the best of their ability. I want to ensure that there is a focus on rural communities, as the feedback over the last few years has been that there is not enough happening there. They would like to see more, and I think that that is a valid concern to raise. That is no criticism of the groups involved in this forum. The work that they have done, particularly in rural communities, has been valued. It is important that rural communities are as visible as any others in the feedback.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas ar maidin. I thank the Minister for her statement. An dtig leis an Aire cur síos ar an tacaíocht atá tugtha aici do na healaíona ó tháinig sí i gceannas ar a Roinn? Will she outline the support that she has given to the arts since coming into the Department?



**12.30 pm**

**Ms Ní Chuilín:** Support for the Arts Council is in the region of £75 million. That has also helped towards programmes in places such as the MAC, the Lyric and others. That has been distributed to many arts groups, including some of the bigger of the 32 annually funded groups, for years.

When looking at events, such as the City of Culture, you can see the benefits that we have delivered, particularly in the north-west. That is an example of how funding separate from that provided by the Arts Council can be brought in. That success shows that there is a need for additionality and for a joined-up approach. The arts and culture sector would value additional support over and above what it already receives.

**Ms Hanna:** I thank the Minister. I am sure that arts groups will welcome the consultation and will respond. The Minister might be aware of a new all-party group here to support the arts and creativity. I hope that she will accept our invitation to come along during the period of consultation so that arts groups who are represented can give feedback directly. Will the Minister explain how she will ensure that the arts will have a clear role, position and space in the next Programme for Government in the absence of a dedicated Department?

**Ms Ní Chuilín:** First, I accept the invitation to come to the all-party group. I am using this opportunity to get out and about as much as possible and to talk to people right up until the 18 December or 19 December. I have, from today onwards, arranged to meet a lot of groups on their invitation, and I am happy to meet the all-party group on the arts.

I believe that all the functions of the Arts Council will transfer into the new Department of Communities. It will be the same arm's-length body (ALB), but with a differently named Department. That should ensure that not only are people familiar with the same contacts but there is a security in that arrangement. This is an additional layer that has, in my opinion, been needed for many years. It will ensure that arts and culture are valued not only in the new Department of Communities but right across the Executive. I believe that other Departments have a very strong role to play in the rolling out of this new strategy.

Again, I welcome your invitation and those of many others, and if I can, I will take them up.

**Mr Humphrey:** I welcome the consultation announced by the Minister this afternoon. The statement refers to the principle of equality and states that it should be fundamental. In the interests of equality, inclusivity and social inclusion, why does the arts advisory forum, which the Minister established, not include representatives from the Ulster-Scots community, the Orange community and the marching bands fraternity?

**Ms Ní Chuilín:** It is simply because we asked the arts sector for representatives who were representative. These people provide services to all members of the community and to all communities, not just the Orange Order or marching bands or anyone else, for that matter.

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

It is good to see that the Member has an interest in this strategy. I encourage him, through his membership of those organisations, to ensure that not only do they feed

into the consultation but those needs that might be fed in for the future are reflective rather than just those of a certain political party.

**Mr Lyttle:** I welcome the fact that the Minister has brought a public statement to the Assembly on this important issue. I agree wholeheartedly with her that we have world-class artists in Northern Ireland who are enriching the lives of individuals, our community and our economy, and I welcome her support for East Belfast Arts Festival in particular.

I agree with her statement that the strategy must be underpinned by appropriate government support, but my understanding is that funding is as little as 11p or 13p per head of the population in Northern Ireland. What is the target level of funding that she hopes to secure for our arts community's future?

**Ms Ní Chuilín:** I am taking a needs-based approach rather than a funding-led approach at the beginning. I think that that is important. Some people believe that the arts are getting enough; I am not one of them, to be frank. Some people feel that there are other public services that need to be given greater attention and support.

I support that, insofar as our public purse is obviously going to be stretched, given the context that we are operating in, particularly around Tory austerity.

I believe that, once the feedback from the consultation comes through and the needs are identified, the whole exercise of costing those needs for the future will be done. It is regrettable that Members should start off by saying — I am not suggesting that you are, but I have already heard some of this — “Let’s raise it to 15p per person”. In my opinion, that is the wrong way to go. That makes it easy for people who do not want to give support to walk away from giving support.

**Mr D Bradley:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaimse buíochas fosta leis an Aire. Bhí an ráiteas iontach cuimsitheach, agus caithfidh mé a rá go bhfuil mé ag teacht léi in achan rud atá ráite aici ann. Ceann de na deacrachtaí a bhíonn ag grúpaí ealaíne ná maoiniú gearrthréimhseach, agus ba mhaith liom a fhiafraí den Aire an gcuideoidh an comhairliúchán seo le heagraíochtaí ealaíne samhail maoinithe inmharthana a chur chun tosaigh? I must say that I find myself in agreement with the majority of the Minister's statement, but one of the difficulties that arts organisations often bring up is the short-term nature of the funding awarded to them. How will the consultation and, indeed, the strategy help ensure that arts groups have a sustainable form of funding rather than short-term funding?

**Ms Ní Chuilín:** Gabhaim buíochas agus aontaím leis sin go hiomlán. Thank you very much for that. I completely agree with you. One of the things that has been consistently and constantly raised is the short-term approach to funding and security, particularly when groups are trying to plan for big events one or two, or more, years ahead. The opportunity for that to be fed into a consultation is huge, because it will inform the needs across the sector for at least 10 years. I appreciate that needs and themes change, but, if anything, the consultation has the opportunity and possibility of providing better sustainability for the sector, not just from the Arts Council but across Departments and bodies. I believe that the short-term approach and the lack

of sustainable funding are things that the arts sector collectively wants to change.

**Mr Allister:** The statement contains many fine words, such as:

*"Culture is all around us and belongs to everyone".*

Does the Minister nonetheless perceive any credibility problem, given her reputation as a serial protester in her constituency at manifestations of Orange culture, or are we going to see a fresh start, with her desisting from such activity?

**Ms Ní Chuilín:** As the Member will know from his legal training, a person's right to protest is a fundamental right. I support my right to protest, and anyone else's right to protest, all day long. Unlike the Member and colleagues of his, I support residents in their call for dialogue to change the way forward for contentious parades. I will do that with them and for them all the time, because I think that it is the way to go.

I do not believe that there is anything cultural about playing the 'Famine Song' outside St Patrick's Church. I do not believe that there is anything cultural about people marching around in the actions of a band playing the 'Famine Song' outside St Patrick's Church. I do not think that there is anything cultural about spitting in the face of protesters outside St Patrick's Church. In fact, people from Cardiff, London and Edinburgh are scratching their head at what part of Britishness that represents, because it does not represent them.

If the Member wishes to ask me a question about the strategy, I will be as helpful to him as I have been on previous occasions on which he has asked questions, but, on this, I really wish that he would wise up.

**Mr A Maginness:** I thank the Minister for her very detailed announcement to the Assembly. It is very important that we take note of what you said, particularly that making arts and culture available to everyone should not be interpreted as a path to diluting the arts. Arts and culture matter to people. In implementing a strategy of this sort, how will the Minister ensure that all sectors of the arts receive a fair and balanced distribution of funding? It is a matter of great concern to some that elements of the arts are favoured over others.

**Ms Ní Chuilín:** I thank the Member for his question. I am sure that he is speaking to the same arts and cultural groups in our constituency that I have spoken to. They have felt that a lot of the bigger funding awards have gone to the same groups for decades. They are happy that that happens but they are also concerned that smaller groups that do very important work are sometimes overshadowed and overlooked. I want to ensure that, in the feedback to this consultation, there is a plan for the way forward to try to accommodate all the different aspects of culture and arts. That includes some of the bigger theatre companies right through to, for example, groups that do therapeutic work with children at risk.

I believe that there is a place for us all and I welcome the opportunity, when the Member and other Members talk to constituents or groups, for them to use this consultation as a way of having the views of such groups heard. The worst thing would be that people miss this opportunity and do not see some aspect of their work in any future strategy.

**Mr B McCrea:** I welcome the statement and congratulate the Minister for the way in which she delivered it. I am particularly pleased by her recognition of the arts voice that has come to the fore. I realise that the Minister is busy but did she, by any chance, catch, on BBC 2 last night, 'Ireland with Simon Reeve', which covered, in Derry/Londonderry, the Playhouse and various other issues such as art in the Bogside. Does she think that there is any connection there, in explaining to Members present, how important the arts are to Delivering Social Change, Together: Building a United Community, and how we might encourage everybody to help the arts?

**Ms Ní Chuilín:** I thank the Member for his comments and question. I did not see the programme on BBC 2 but will certainly look for it on the iPlayer. I know the work that is done in that and similar communities, particularly where it is still difficult to try to get peace and reconciliation or even dialogue when communities are under pressure. One of the ways in which they have done it very successfully has been through the arts.

A few Sundays ago, I saw a play at Queen's Film Theatre about the First World War and Easter Rising, where children from both communities came together. It was an amazing piece of theatre, but the message, for me, was even more amazing.

I also agree, if I have not picked you up wrongly, that the arts sector's voice seems to be heard above the heads of some people in the Chamber. Our communities out there are taking more risks than people in here. It is easy to sit on the Back Benches and mouth off, but it is much harder to go out and do the job; the work done by people who are actually embedding and investing in their communities, sometimes with very little or no support.

**Mr Principal Deputy Speaker:** That concludes questions on the statement.

## Executive Committee Business

### Health and Personal Services (Amendment) Bill: First Stage

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** I beg to introduce the Health and Personal Social Services (Amendment) Bill [NIA 68/11-16], which is a Bill to make provision about the Northern Ireland Social Care Council and other provision about social care workers.

*Bill passed First Stage and ordered to be printed.*

12.45 pm

### Pension Schemes Bill: Further Consideration Stage

**Mr Principal Deputy Speaker:** I call the Minister for Social Development, Mr Mervyn Storey, to move the Further Consideration Stage of the Pensions Schemes Bill.

*Moved. — [Mr Storey (The Minister for Social Development).]*

**Mr Principal Deputy Speaker:** As no amendments have been tabled, there is no opportunity to discuss the Pension Schemes Bill today. Members will, of course, be able to have a full debate at Final Stage. That concludes the Further Consideration Stage of the Pension Schemes Bill. The Bill stands referred to the Speaker.

## Committee Business

### Credit Unions and Co-operative and Community Benefit Societies Bill: Extension of Committee Stage

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 29 January 2016, in relation to the Committee Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill [NIA 56/11-16].*

A Phríomh-LeasCheann Comhairle, the Committee for Enterprise, Trade and Investment agreed the motion to extend the Committee Stage of the Bill until 29 January at a time when the Committee was waiting for information from the Department that was needed to complete the Committee Stage of the Bill. I am pleased to inform the House that that information was received and considered by the Committee much earlier than expected. That has enabled the Committee to proceed much faster than originally envisaged. The Committee will consider the report on the Bill at tomorrow's meeting, and that should complete the Committee Stage of the Bill without the need to avail of the extension. The extension is being sought only to cover any unforeseen eventuality at tomorrow's Committee meeting in relation to the report.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 29 January 2016, in relation to the Committee Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill [NIA 56/11-16].*

## European Social Fund

**Mr Principal 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 Swann (The Chairperson of the Committee for Employment and Learning):** I beg to move

*That this Assembly acknowledges the important role of the European social fund in delivering essential support and services to the most vulnerable people in Northern Ireland; recognises the challenges faced by the community and voluntary sectors in the administration of the current and previous programmes; and calls on the Department for Employment and Learning to learn from its mistakes and to ensure that it works in partnership with the community and voluntary sector to deliver, efficiently and effectively, the European social fund programme.*

I am sure that every Member is well aware of the excellent work carried out by the community and voluntary sector in their constituencies with the assistance of the European social fund (ESF). The fund is provided by the European Commission with the overall strategic aim of helping to reduce economic inactivity and increase workforce skills. Its aim to contribute to social protection and social inclusion by supporting actions to extend employment opportunities to people at a disadvantage in the labour market and to those who are furthest away from the labour market is a worthy aspiration and is greatly needed in Northern Ireland at this minute.

I am sure that all Members have been contacted by the voluntary and community sector regarding the issues facing them, both in the closure of the 2007-2013 programme and in the opening of the 2014-2020 programme. That has often led to some confusion with the public and, sometimes, with the Department, which has led to possible misdirection, whether intentional or unintentional, in answering questions. The two programmes have been running conjunctively — one closed and the other open at the same time — so problems were often switched and confused.

As Chair of the Committee, 10 minutes is quite a restrictive time to move the motion, but I am reassured by the number of Committee members and other Members in the Chamber who have spent a lot of time on the issue and who will get to grips with further and more specific details in the programme. There have been many issues with the ending of the 2007-2013 programme and the commencement of the 2014-2020 programme. At best, those have been described as problematic and, at worst, catastrophic for the work of the groups in the voluntary and community sector and the individuals who are affected. The Committee has engaged with the sector extensively on the issue, and it has worked with the Department and held it to account on numerous occasions.

As far back as 13 June 2012, the Committee received a briefing on the end of the 2007-2013 programme and how it was to be managed. The Committee met organisations from the voluntary and community sector on 17 February 2015. At that meeting, nearly 70 people raised their concerns regarding the application process for the 2014-

2020 programme and, in particular, the assessment of financial capability, management accounts and value for money.

The Committee was frustrated that nearly a third of all phase 1 applications were rejected because of departmental guidance that the Department eventually admitted was unclear. In addition, the change from a qualitative assessment to a quantitative assessment meant that some organisations were immediately culled for minor infringements or technicalities. Through that, the Committee believed that the inconsistency of the information that was being provided by the Department and a degree of miscommunication had led to such confusion amongst unsuccessful applicants. The Committee also heard that the requirement for 10% of project costs to be available in cash assets up front discriminated against smaller community groups. A number of organisations fell foul of that.

Such was the interest in the briefing of 18 February that the Public Gallery in the Committee room was full with members from the community and voluntary sector and many others could not be seated there. The TVs in the Great Hall and the coffee lounge had to be turned over to the Employment and Learning Committee proceedings so that everybody could watch what was going on.

At a meeting on 18 March, the Department acknowledged that it had rerun the application process to offer those who were immediately rejected due to unclear guidance a second opportunity to apply. It has been recognised by the voluntary and community sector that that was due to the work that was done by the Employment and Learning Committee and to the Minister listening to the recommendations and concerns that were coming forward.

At its meeting on 1 July 2015, the Minister again briefed the Committee regarding the 2014-2020 programme. The Minister admitted that the responsibility for the faults of the programme lay solely with his Department. He acknowledged that the vouching of the outgoing programme was too slow and that many organisations suffered because of the timescales involved in the process.

The Minister also confirmed that there are challenges with match-funding for the current ESF programme due to the pressures on the voluntary and community sector where other traditional sources of funding have dried up. That was raised on a number of occasions in the Chamber as well, which led to a promise of support for the voluntary and community sector from the Social Development Minister and a combined task force coming from the junior Ministers in OFMDFM. The Committee still awaits the outworkings of that.

The Committee was deeply concerned to hear of the Commission's suspension of funds due to the internal audit failings of the Department. That led to an internal departmental profiling of the European social fund programme, which resulted in funding for the programme coming from the Department and the ESF money being used for other Department projects and processes.

At its meeting on 16 September, the Minister informed the Committee that departmental funds were being used to close off the outgoing ESF programme. A cause of frustration to many voluntary organisations is that they are still being held to the European standards and



requirements even though the Department's money is being used to fund the programme.

The Committee met with the Minister again on 23 September 2015 regarding the continued delays in vouching and the struggle that community and voluntary organisations are experiencing due to cash flow. The fact that the Committee has met with the Minister and his departmental officials 14 times in the past two years is a reflection of how importantly the Committee has viewed the issue and, given the impact on communities, rightly so.

In response, the Department seemed overwhelmed by the application process for the ESF and inconsistencies and confusion crept in. We were continually told that we were at a great advantage from the second programme starting so soon. However, some in the voluntary and community sector think that a little bit more time to get the application process right would have been of greater benefit.

The Committee has held the Department to account by forcing it to reopen phase 1 of the programme to allow organisations to resubmit evidence. There were 66 that were successful in doing that.

To the Minister's credit, he apologised to the Committee for the programme delays and the deficiencies in the Department's management procedures for allocation. Significantly, the Minister confirmed that, had it not been for the work of the Committee, more staff would not have been drafted in to deal with the problem, and any attempt to offer support to more organisations would not have been successful.

That is a very brief outline of the work that the Committee for Employment and Learning has undertaken on the European social fund.

I will now take a couple of minutes to speak as the Ulster Unionist member on the Committee and to highlight the concerns that are still out there, which, as I said, will be elaborated and expanded on by other Members.

The first concern facing our voluntary and community sector with the current programme is the slow process of payments and vouching. Two weeks ago, I met an organisation that had £400,000 outstanding for a programme that started in April. For many voluntary and community organisations, that sort of money and cash flow is simply unsustainable and unworkable. I was informed that, last week, some moneys were forthcoming. The Minister intervened a number of weeks ago and offered a 50% upfront payment for applications that had yet to be vouched. That sticking-plaster approach, which many in the community and voluntary sector are concerned about, needs to be rectified, and a proper vouching and verification system needs to get up and running as soon as possible. Many point out that the European regional development fund (ERDF) process, which is an element of the EU structural funds that is administered by the Department of Enterprise, Trade and Investment, has a target of 35 days from claim submitted to payment in bank. That should be the Department for Employment and Learning's process and standard for the ESF process.

The second main concern with the new project is tutor qualifications. There is a requirement that all tutors delivering voluntary and community sector courses must go through a course at Ulster University. The course can take up to 150 students at one time and is now fully booked

for the next two years. The Department's approach to the qualification smacks of inconsistency, and neither college lecturers nor university professors are required to have that level of qualification. When a voluntary or community organisation employs a tutor who is also employed by a college, the tutor still has to have that qualification. If, however, a voluntary or community organisation employs a tutor via a college, he or she does not. I hope that the Minister will look at that inconsistency and iron it out. Those concerns were raised in the ESF stakeholder forum.

A third concern is the level of course that is now available. For many in the sector, the restriction on level 1 courses is becoming a problem. Applicants are simply taking a level 1 course and not moving to a level 2 or 3, because they have to go —

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Swann:** — to a college to progress to that level.

I hope that the Minister will address the judicial reviews and update the House as to exactly where we are with them. Thank you very much for your time, and I am sure that other Members will go into detail on some of the issues.

**Mr Principal Deputy Speaker:** Mr Swann, for the sake of the record, will you confirm that you moved the motion?

**Mr Swann:** I moved the motion.

**Mr Anderson:** As a member of the Employment and Learning Committee, I support the motion. The European social fund is a vital source of help to a wide range of community, voluntary and women's groups. In days of stringent cuts, those groups rely more and more on that sort of funding.

We debated this issue in the Chamber some six months ago on 18 May 2015. At that time, there was growing anger, dismay and a sense of injustice at the Department for Employment and Learning's abysmal handling of ESF applications. In short, it was a bureaucratic and administrative mess. Well-respected voluntary and community groups were left high and dry, and they wanted answers. We urged the Minister to admit that he and his officials had got it badly wrong, but the Minister was reluctant to do that; he seemed to be in denial as he attempted to justify the unjustifiable. The Minister then came to the Committee on 1 July and offered a limited apology for what he said was:

*"one very discrete area of poor performance by the Department in relation to the payment of claims".*

**1.00 pm**

I acknowledge that there is a need for good governance and a proper audit of all claims. All things must be done decently and in order. I also acknowledge that officials are working very hard to resolve outstanding issues. However, no matter what sort of spin is put on all of this or what reasons are given for the problems, the Department's handling of the claims has been a disgrace, and lessons must be learned.

Officials came to the Committee on 23 September and said that they wanted to move forward and not repeat the mistakes of recent months. That is indeed encouraging,

but what confidence can we have that it will become a reality? What certainty is there that we will move forward without all the hassle endured last time? I welcome the assurances given at the Committee that staff resources have been looked at. This was also mentioned by the Minister in answer to an oral question from my colleague Mr Weir as recently as 9 November, when he said that further staff had been brought:

*"into the ESF managing authority on a temporary basis" — [Official Report (Hansard), Bound Volume 109, p117, col 1-2].*

When I raised staffing with officials at the Committee in September, I was told that the resources required for the new programme had been identified and that the staff in post would be there permanently. I was also told at Committee that there would be an accredited training programme for staff so that they would have the necessary skills. Perhaps the Minister can clarify the position on staffing. Are staff being deployed permanently or just on a temporary basis?

One of the major concerns in the last tranche of applications was that nothing was paid if there was a problem with missing documentation, and little effort, it seems, was made to follow up on outstanding issues with the groups concerned. I am glad that a process of accelerated payments is now in place for the 2014-2020 period, and I understand that 50% of claims submitted will be paid up front. This, I believe, is a major step in the right direction. As the Minister said, this is a low-risk approach, and it will certainly make life easier for all concerned. We need to take some risks. An undue aversion to risk-taking is one of the weaknesses of our Civil Service at times.

Like many others, I have been very critical of the failures in administration, but, if we can correct the mistakes, we can move forward. I appreciate that officials worked hard to ensure that the programme was ready to run at the start of the 2015-16 financial year. This means that there has been no gap between the closure of the old programme and the start of the new one.

One other area of concern in the voluntary and community sector is that those who provide training under the ESF have to undertake a teaching qualification at Ulster University, or equivalent academic qualifications, or be registered to do so by 2016-17. This is all fine in theory, but it is difficult in practice. It places financial and time demands on tutors for both training and delivery, and they may not be able to meet those demands. Also, will the Ulster University have the capacity to cope with this demand? I question the necessity —

**Mr Principal Deputy Speaker:** I ask the Member to bring his remarks to close.

**Mr Anderson:** — and feasibility of such high requirements being placed on the voluntary and community sector.

**Ms McGahan:** A Phríomh-LeasCheann Comhairle, thank you for the opportunity to speak in today's debate on the important role of the European social fund in delivering essential services to the most vulnerable while recognising the challenges faced by the community and voluntary sector in the administration of the past programme and the current programme. In supporting the motion, I call on the Department for Employment and Learning to learn from its mistakes and ensure that it works in partnership with the

sector to deliver the programme efficiently and effectively for all those who rely on it.

Today, I will focus on the European social fund in relation to women's centres and the range of services that they offer. From the outset, I want to pay particular tribute to all those involved in the development and work of women's centres across the North. I want to take this opportunity to place on record my deep regard for the high standard of service delivery provided by First Steps Women's Centre in Dungannon. I have had the pleasure of regularly working closely with the centre.

First Steps Women's Centre is very dependent on the European social fund for the roll-out of its much-needed service provision. To date, under the 2007-2013 programme, First Steps Women's Centre in Dungannon has delivered impressive results for south Tyrone. That is due to the good work of everyone involved in the centre. The figures are a celebration of that good work. Some 290 below NVQ level 1 qualifications were achieved, 293 NVQ level 1 qualifications were achieved and 353 NVQ level 2 qualifications were achieved.

Given the dire worldwide economic downturn, which has not been helped by the British Government-driven austerity, the success of 179 participants from the south Tyrone area gaining employment is not insignificant. The provision of 276 childcare places on-site by the First Steps Women's Centre during the programme has certainly made it possible for many mothers to avail themselves of much-needed opportunities.

We have just come out of a period, during which, just a short while ago, strong representation had to be made to the Minister for Employment and Learning regarding decisions as to whether to allocate much-needed European social fund moneys to community and voluntary organisations and groups. Our women's centres have a strong record of delivering quality training programmes for women and, in turn, boosting confidence and self-esteem and encouraging their return to the labour market.

In many areas, rural and urban, the much good work that has been progressed to tackle social and economic disadvantage, as well as groundbreaking attempts to tackle the social isolation that disadvantaged and marginalised groups face, needs to be continued and further supported. However, a number of problems are currently being encountered with the roll-out of the programme. The cap on aspiration must be lifted for all ESF programmes. At the moment, the level of qualifications that can be offered to ESF participants by the voluntary and community training providers is capped at level 1, which is equivalent to GCSE grade D. That means that, for the most vulnerable and socially excluded participants in the ESF, the floor of qualifications has become the ceiling. Aside from being a harsh cap on the aspirations of ESF participants and the organisations that work with them, the cap is in direct contrast to the aims of ESF to improve employment and employability. Our Minister for Employment and Learning, Mr Farry, must give that matter his attention and have the cap lifted.

Many organisations are owed considerable amounts of money for work already carried out. NICVA's research paper has informed us that some organisations are owed almost £1 million and others are owed in the region of £300,000. We have a situation in which charities are

borrowing from banks or using overdrafts to cover the cost of money owed to them by DEL. That is simply unacceptable. The European regional development fund element of the EU structural funds administered by DETI has a target of 35 days from claim submitted to payment in bank. That should be the standard for ESF payments.

In the round, the European social fund is a fund that is rife with success stories.

**Mr Principal Deputy Speaker:** The Member must bring her remarks to a close.

**Ms McGahan:** The fund has allowed vulnerable and hard-to-reach people from all sections of our community to participate in training and learning opportunities to increase their social inclusion and employability. I urge all Members to support the motion.

**Mr A Maginness:** I rise on behalf of the SDLP to speak on the motion. I am filling in for Mr Pat Ramsey, who, regrettably, cannot attend the debate. They are big shoes to fill, but I will attempt to do that, nonetheless.

I welcome the opportunity to contribute to this important debate on the European social fund. It is clear that there are many pressing issues with the fund and, more precisely, the application process. Community groups have found great difficulty in navigating the process. They have relayed to us that it is an unnecessarily arduous and lengthy application process. I am sure that many of us in our constituency offices are familiar with spending time trying to assist very frustrated community groups to get their projects off the ground.

It is important to say that despite the negative feedback that we all hear about ESF application processes, truly wonderful things are being achieved at grass-roots level thanks to the fund. Those achievements are often underappreciated, occurring as they do amongst those who find themselves furthest away from formal education and indeed the job market. I cannot mention all the groups that are achieving great things thanks to the fund, but one good example is, in fact, in the north-west.

Derry City and Strabane District Council recently commenced an ESF-funded Kickstart to Work project that addresses barriers to education and training; work experience and employment initiatives; and post-employment support for 350 enrollees — quite a substantial number. It is a great project for an area with pronounced problems, such as the north-west. It has a great partnership approach. However, the process has not been without its issues. Those administering Kickstart to Work have complained about the changing goalposts at the Department for Employment and Learning. The project is still awaiting clarification on new processes by the Department. What is proving particularly difficult is having Jobseeker's Allowance (JSA) claimants released to participate in the scheme. The question is clear: why would anyone agree to a back-to-work scheme if it affects their benefits detrimentally? It is a fundamental question.

The lack of communication around this and other issues between the Department for Employment and Learning, the European Union, the Social Security Agency, and jobs and benefits offices' staff has no doubt been detrimental to this innovative and much-needed project.

There can be no doubt that the Department for Employment and Learning's staff are under immense

pressure at the level of applications to the fund. It means that the administrative burden is very heavy. However, we must not forget the pressure that is placed on local community groups by funding delays. This year, many groups were forced to place staff on notice — and that really is intolerable — in an attempt to juggle various pots of money. In many instances, they had to avoid debtors and suffer the inordinate pressure of being chased for money, all due to a delay in processing the fund payments. It is important to note that this is often due to delayed payments from the previous funding round, not even the latest one. This type of funding delay actually perpetuates further inability to receive funding for many community groups. Thousands of pounds are still owed by the Department to many groups, preventing further applications. Again, I say that this is intolerable. The Department holds the purse strings and therefore the lifeline of community groups across the North. It is for this reason that it must be more efficient.

Delays affect cash flow, effective administration, claimants, the income that is generated and morale.

**Mr Principal Deputy Speaker:** I ask the Member to conclude his remarks.

**Mr A Maginness:** I will, indeed. Not surprisingly, delays in funding affect community groups' ability to attract and, more importantly, retain valuable members of staff.

**Ms Lo:** I rise as the Alliance Party member on the Committee for Employment and Learning. To begin with, I declare an interest as a board member of GEMS NI, which is in receipt of funding from the European social fund. The ESF delivers essential support and services to some of the most disadvantaged people in Northern Ireland. There are numerous success stories of vulnerable and hard-to-reach people being able to access learning and training opportunities. This increases their employability, addresses poverty and promotes social inclusion.

I know that DEL officials have worked hard to ensure that the ESF was ready for the start of the new financial year and to avoid gaps in ESF programmes.

It is also important to point out the pressures that the Department faced while dealing with the closure of the old ESF programme and opening the new one at the same time.

### 1.15 pm

The ESF is a competitive process and, in many ways, it was inevitable that some applicants would be disappointed, as there were, at one point, eight times more applicants than there was money available. I welcome the Minister's commitment to overfund and secure match funding for organisations at a time when budgets were being squeezed extremely hard. I am aware of the challenges faced by the community and voluntary sectors in the administration of ESF, and I acknowledge that this process has seen a number of problems.

GEMS NI is the lead in one project and a partner in two others. It currently has circa £200,000 in moneys owed but not vouched. It has received an interim payment from the ESF managing authority of 50% of the vouch, which did not include the public match element. It has received no match funding because of the delay in the vouching, as its ESF managing authority needs to advise the match

funders to pay their proportion, so it is actually 32·5% of the vouch.

Cash-flow problems continue to be a challenge for a number of organisations. That said, the Minister has acknowledged that there are frustrations with the speed at which this is happening and that, in many cases, the wait has been too long. I also understand that the 10 additional staff who were added to the ESF managing authority had previous vouching experience. Minister Farry acted quickly to address administrative problems and ensure a cash flow to organisations. I have no doubt that the Department for Employment and Learning has learnt from mistakes that were made during this process and will continue to work in partnership with the community and voluntary sector to deliver effective ESF funding. I support the motion.

**Mr Easton:** The community and voluntary sectors, particularly in the field of education and training, play an invaluable role in Northern Ireland's economy, helping to equip and skill the most hard-to-reach participants. The community and voluntary sector has always been able to reach and work with the most marginalised and bridge the gap for these people, equipping them on their journey towards education and employment in a way that the statutory services have never been able to do. This is most evident in the services that are offered, such as free childcare, smaller class sizes and flexibility in timetables and learning.

The ESF programme has been in existence for a number of years, and the community in Northern Ireland has been able to avail itself of it. It has helped many thousands of men and women into further education, training and employment. The Department's financial remuneration of projects under the 2007-2013 ESF programme has had a horrendous effect on many organisations; none more so than in the women's sector and projects such as the Kilcooley Women's Centre. I am sure that the Minister will join me in praising the good work that the women's centre does to address educational underachievement.

The programme, which ended on 31 March 2015, has left the community and voluntary sector on its knees, with vast sums of money still owed by the Department to groups. These delays by the Department have resulted in organisations such as the Kilcooley Women's Centre not being able to pay tutors or pay for accreditations for their participants, racking up significant levels of overdraft charges and debt. It is unacceptable for the Department to treat the sector like this, not to mention the contempt that many in the sector feel for the Department because of its poor track record of communication over its suspensions and mishandling of community and voluntary sector project claims. These actions will result in many community and voluntary organisations becoming insolvent or bankrupt through no fault of their own. This will also have an impact on the most marginalised participants, who will be unable to access front-line services designed to address educational underachievement, as their point of contact is the community and voluntary organisations.

The 2014-2020 ESF programme application process has also been a shambles from start to finish, from the Department's unclear guidance on what constitutes management accounts to its unclear and inconsistent assessment of applications —

**Mr Anderson:** I thank the Member for giving way. Does he agree that more could have been done by the Department to communicate with the groups to ensure that the necessary documentation was submitted to help with the easier payment of claims?

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

**Mr Easton:** Thank you, Mr Principal Deputy Speaker.

I agree with the Member. I think that communication has been very poor, and, if it had been a clear communication right from the start, many of the problems that we are experiencing might have been ironed out well before now.

In preparation for the new round of ESF funding, DEL held Northern Ireland-wide information roadshows, through which it advocated the delivery of higher-level qualifications and progression for participants. However, when the application process opened, the criteria that were stipulated supported up to level 1 only. That is equivalent to grades D to G at GCSE, or, in crude employability terms, a fail mark in the eyes of many employers. That appears to go against the evidence —

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

**Mr Easton:** Yes. Go ahead.

**Mr Swann:** Will the Member agree that it also excludes the likes of first-aid courses and construction skills register (CSR) cards, which are not recognised at either level 1 or level 2?

**Mr Easton:** Yes, I concur with the Member.

That appears to go against the evidence that that is the best way of combating educational underachievement among those most removed from the labour market and educational services.

The Department appears to have manipulated figures to show a much rosier picture of the ESF 2014-2020 application process; for example, in the way in which it has grouped the unemployed/economically inactive and community family strands to justify moneys to women, despite issues around need specifically related to women classified as being unemployed/economically inactive. The community family support strand of the 2014-2020 ESF programme includes men, teenagers and other family members, and thus cannot be defined as being female-specific. Northern Ireland Statistics and Research Agency (NISRA) statistics for the period of the ESF application process show that, of 313,000 economically inactive people aged 16 to 64 in Northern Ireland, 61% are women. Therefore, women are almost twice as likely to be economically inactive as men.

The total allocation of ESF for the next three-year period is £112 million over the three strands of the programme. That equates to a paltry 3·2% awarded to women-specific training. Evidence shows that that is almost 24% less than what is required to address the number of economically inactive women.

I wish to express my concern about how, during a time of financial austerity, the Department is able to award ESF funding contracts that have no competition on price. I am very keen to hear from the Minister in his response about the ESF 2014-2020 application process and how only a



benchmark for average cost per participant was used by DEL to determine value for money.

To conclude, I urge the Minister to apologise for the Department's continuing failures. I also urge him finally to put in place firm and decisive plans to rectify the continuing problems so that the reputational damage of the Department in the eyes of the European Commission and the Northern Ireland voluntary and community sector can be repaired.

**Mr F McCann:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I support the motion. I thank the researchers and the likes of NICVA and others that sent us information that, along with the experience that we have all gone through in Committee concerning the process, probably informs most of what we are saying today.

The motion speaks of the important role that the European social fund has played in the delivery of essential services and support for the most vulnerable. The European social fund, in delivering essential support and services to vulnerable people in the North, recognises the challenges faced by the voluntary and community sector in the administration of the current and previous programmes. The motion goes on to call on the Department:

*"to learn from its mistakes and to ensure that it works in partnership with the community and voluntary sector to deliver, efficiently and effectively, the European social fund programme."*

For many in the community and voluntary sector, the process of applying for what was a new programme and meeting the criteria had many hurdles. Many were disappointed.

In a paper supplied to us by NICVA, it commended the Department for working hard to meet the date for the programme to begin at the start of the new financial year, but also spoke of departmental officials being under severe pressure in trying to close the old ESF programme and open a new one simultaneously. It stated that a key issue raised was that many organisations were owed a considerable amount of money for work that they had already carried out. When NICVA spoke to the many groups applying for ESF funding, they all talked of confusion, with little in the way of information coming from the Department. Groups were told that they had to show that they had the financial capacity to deal with the new system of payments, but many could not do so because they were not allowed to hold substantial amounts of money and many were owed considerable amounts of money by the Department. NICVA said that some organisations were owed almost £1 million, and others in the region of £300,000. Many, including charities, were borrowing from banks or using overdrafts to cover the costs of money owed to them from government.

NICVA argued that the Department for Employment and Learning should have adopted the DETI policy of ensuring its payment of the ERDF element of the structural funds, which has a target of 35 days from the claim being submitted to payment in the bank. The argument is that that should be the standard for the ESF also. It beggars belief that two Departments can handle elements of administering payments of European funding so differently. You would have thought that the Department for Employment and Learning would have cast a net to see

whether there was good practice in other Departments. If it had done so, that problem would, hopefully, have been solved.

I am concerned that no one thought of contacting organisations like NICVA or the broad women's sector to ask its advice on the matter. We talk a lot about partnership and working closer together. Had those in the Department asked for advice, assistance or help, they would have no doubt been pointed in the right direction. They would have been informed that the method of payment was on the verge of putting many groups to the wall and that fulfilling the 10% capacity requirement was making life really difficult for groups that were owed money.

It was interesting to read that there are three requirements for the new social fund programme, which, it was said, combine to undermine the capacity of the ESF programme to deliver its stated aims. It was stated that it is important to note that each of the requirements did not come from the EC but from DEL itself. There is a requirement that tutors providing training as part of the ESF have to undertake a teaching qualification at the Ulster University or another equivalent high-level academic qualification or be registered to do so. Again, NICVA stated that, whilst the voluntary and community sector is committed to high-quality training provision, meeting that very specific requirement is difficult because of monetary costs, the time commitment for tutors to attend the training as well as to deliver the programme and the capacity at UU for the course, given the numbers of tutors involved in ESF. The policy also applies to third-party organisations that the voluntary and community sector might bring in to provide certain industry-specific training such as on health and safety. I have spoken to a number of groups —

**Mr Principal Deputy Speaker:** I ask the Member to conclude his remarks.

**Mr F McCann:** A number of groups have informed me that the departure from the way it was done in the past has hit many of them, especially in my constituency.

**Mr Weir:** I support the motion, but I have a degree of mixed feelings about it. What do I mean by that? I very much welcome the motion that has been brought forward by the Committee. I also commend the Committee's proactive approach to the issue and the extent to which it has pushed it. So, I have no problems with that. My degree of mixed feelings comes from the fact that, in an ideal world, we should not have to have this motion in the first place. There has been a catalogue of errors that should have been avoided and, therefore, there should have been no need for this motion.

I am perhaps the first Member to speak in the debate who is not a member of the Employment and Learning Committee. Therefore, I cannot bring the same level of expertise or knowledge from the Committee to this motion as others have. I am speaking very much from personal experience. First, it is important to place on record, as others have, the tremendous work that the community and voluntary sector is doing out there. My own experience has been very directly with the women's sector in particular, and, specifically, with the excellent work of the Kilcooley women's education group.

**1.30 pm**

Perhaps wearing another hat as Chair of the Education Committee, I will say that, at times, we look at education within a very narrow prism, and we assume that this is only what happens in the school classroom between the ages of four and 18. However, there is a vast society out there that needs that level of help, expertise and support. The women's sector, in particular, and Kilcooley, very specifically, has provided that down the years. Countless women have been able to benefit from that, and that is to be commended.

Good work has been delivered on the ground by the women's centres and other organisations, but that has been fatally undermined by a catalogue of errors in the administration of it. There is no time to go over the full list, but it has been mentioned by others. The assessment process, as the Committee Chair indicated, had to be rerun, and mistakes were made by the Department. Mentioned has been made about the position of Europe, and there had to be reprofiling in the Department to be able to cope with that.

In each case, I am glad that, at least, the Department took some action, but, again, it is symptomatic of a problem. If you are constantly having to do a degree of catch-up and trying to cover the basis of the mistakes that have been made and rectify those problems, really the target should be to try to make sure that those problems do not happen in the first place.

My experience has also been that, even when solutions have been suggested by the Department, at times, some of those solutions have not been fit for purpose. They have suggested things that would make it impossible for some of the organisations that are delivering on the ground and create a situation that could leave them legally vulnerable. What I have seen at times from the Department is a lack of understanding of the constraints on behalf of voluntary and community organisations, a suggestion of things that are not helpful and a lack at times of a degree of blue-sky thinking.

It is also the case that there is a very human side to this. Those of us who have worked with many of the groups affected will see this not just as a form of statistics or even some sort of group of administrative errors, but we see the human dimension of this being delivered on the ground. We see the extent to which organisations have been staring into the mouth of insolvency, and we see the level of stress from those who are delivering the programmes. They are faced with constant worry and, I suspect, many sleepless nights, and members and employees are often stressed because they know that they cannot meet the financial and moral obligations that are in front of them. That is something that I do not believe anybody should be put through.

We are about to be addressed by the Caesar of the Department, Minister Farry. Unlike Mark Antony, I do not come either to bury him nor, indeed, quite clearly, to praise him on this issue. I think that, ultimately, people want to see solutions around the issue of the amount of money that is owed, we want to see solutions around vouching and verification, and, indeed, we want to see a sensible approach taken to qualifications.

In a previous existence 20 years ago, I did nine weeks' lecturing at the University of Ulster. I had no particular teaching qualifications.

**Mr Principal Deputy Speaker:** I ask the Member to conclude his remarks.

**Mr Weir:** It seems remarkable that that burden would not be placed on the University of Ulster but would be placed on those groups. We want to see those solutions, and we want to see an acknowledgement of the mistakes that have been made in the past and something concrete that shows that they are not going to perpetuate into the future.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I support the motion. We all accept that the European social fund is a fundamental part of how we as an Executive can increase the social inclusion of our people and try to reduce economic inactivity across our citizens.

At the outset, I commend the leadership shown by members of the Employment and Learning Committee in taking the lead and representing organisations in the community and voluntary sector and helping to make sure that the fund is administered correctly. As the Chair of the Committee said in his opening remarks, the administration of the fund has been somewhere in between problematic and chaotic. I note that the Minister is coming in for considerable condemnation from some of his constituency colleagues in North Down. Maybe there is an election coming up that we have not heard about. The Minister, in fairness to him, has shown a great degree of willingness to get involved in this.

Some other Ministers, if they were in a similar situation, might have preferred to leave it to officials to deal with and might have farmed it out to them to resolve; but, in fairness to the Minister, whilst there remain problems with the situation, he has taken a great personal interest in this and has genuinely tried his best to sort it out. I wish him well as he continues to do that.

The ESF, from my point of view, is another one of these departmental funds that are outsourced. That seems to be the way that everything is going now, particularly in DEL, where a growing number of programmes are not delivered directly by the Department but are put out for competitive tenders for independent organisations, private companies or community and voluntary organisations. We might be told that there is a positive aspect to that in that it enables people who are hard to reach, as they call them, to be reached by the provision of a government service. They tell us that government could not access those people directly, so we bring in external organisations like the community and voluntary sector to reach them. That may be fine and well in some urban areas where there is a strong network of community and voluntary organisations to reach people who are deemed to be hard to reach, but it is certainly not the case in rural communities. Given the way the whole bid process works, where everything is a competitive process, it has to be done at the lowest cost possible and there is an afterthought given to value, it seems that there are no economies of scale for those organisations to deliver them in rural communities. My concern is that the Department is allowing those rural communities to be left behind.

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

**Mr Flanagan:** I will, Robin, yes. Go ahead.

**Mr Swann:** Does the Member not recall the reassurances that we were given in Committee that the Department would look at the organisations to make sure that there is a geographical spread across Northern Ireland before it awards anything?

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

**Mr Flanagan:** I thank the Member for the extra minute because I am still on my first page and three minutes are gone.

I certainly do remember those reassurances, but I am not reassured by them. On the list of the successful bidders, many are based either east of the Bann or in Derry city. Very few are based in rural communities where there is a greater understanding of the needs of rural citizens. That is one of the problems with the competitive bidding process. I think that, if the Department was delivering ESF directly, there would be much more emphasis placed on ensuring equality of provision across the North in urban and rural communities.

The competitive bidding process leads to the successful organisations tending to be based in those areas east of the Bann or, if we are lucky, in Derry city, but they are very rarely based in rural areas. As I have said, their understanding of the challenges facing people in rural communities is reinforced. Some of them do not seem to understand the transportation issues that are facing people. They are already struggling to get employment opportunities to access training, but the issues are further compounded by a complete absence of reliable transportation and having to travel a considerable distance to access the services. On top of that, the private companies or community and voluntary organisations become much more effectively organised in urban areas and a gap grows in the provision of training programmes and in growing skills across different areas. The skills of the community and voluntary organisations in some areas are much greater than in others, and they say that that is because it is more economically profitable for these to be delivered in urban areas as opposed to in rural communities. It is not an excuse that I buy. Not all areas, particularly rural communities, have had equal investment in the community and voluntary sector historically, and that imbalance is worsening, with rural communities such as those in Fermanagh and Tyrone missing out. The inequality gap is growing. I

would like the Minister, during his response at the end, to advise on how outsourced programmes like the ESF have that protection in them to make sure that there is provision in every community, because I do not see that when I look through the list. I see some schemes that were successful in rural areas, but the vast majority seem to be headquartered in urban areas. My concern is that the rural communities are merely an afterthought and that the needs of those people are not reflected as highly as they should be.

Other Members have highlighted issues that are particular to this fund, particularly the cap on a grade D at GCSE for training schemes.

**Mr Principal Deputy Speaker:** I ask the Member to conclude his remarks.

**Mr Flanagan:** For me, that is short-sighted and restricts the potential of the ESF programme. I think that it should be reconsidered, and I call on the Minister to take that on board.

**Ms Sugden:** I support the motion, first, as a representative of East Londonderry; secondly, as a strong advocate of the community and voluntary sector; and, thirdly, as a member of the Committee for Employment and Learning.

I wish to declare an interest: I sit on the board of Compass Advocacy Network, an organisation that is in receipt of European social fund money. Although my contribution to the debate will reflect my work as an individual MLA, I wish to pay due regard to my Committee colleagues for enabling the debate to reach the Floor. I also appreciate the Committee's endeavours in ensuring that the Minister and his Department have been held to account on the issue in Northern Ireland: it has seemed like a long year.

Two significant strands of the European social fund are causing concern: the old programme and the new programme — essentially, the whole European social fund. In the spirit of the motion, I will focus on the European social fund moving forward. In order to do that, however, it would be remiss of me not to draw attention to the significant amounts of money that are still outstanding from the old programme. We are told that, in some cases, that is up to £1 million, and, in many other cases, it is hundreds of thousands of pounds. That is appalling, and it has forced charities and other organisations to seek debt to remain afloat so that they have some hope of maintaining services for the people whom they work for in the community. The significant amount of money that is outstanding is unacceptable. Organisations that are owed, including those on the new programme, cannot move forward. Worryingly, they are on the edge of a cliff, and, regrettably, some have been pushed over.

I want the Minister to take responsibility. I want him to give satisfactory answers to the groups that have been torn apart by incompetence in his Department. I appreciate the fact that the Minister has tried to find solutions, but it is not good enough. It is not good enough right now and is not good enough where those groups find themselves because of inefficiencies and mistakes in his Department.

The community and voluntary sector provides services that the public sector cannot and should not provide, particularly, as Mr Flanagan said, in rural areas. They know their communities and have their respect and trust. As an Assembly and Northern Ireland Executive Government, we should certainly support the community and voluntary sector. Indeed, we are told that the new European social fund was changed to enable streamlining, which would make it simpler for the community and voluntary sector. It is not simpler; it is not only a headache but a quite bad migraine. I ask the Minister to look at the new programme.

The goalposts seem to keep changing on the contracts that these groups signed. I question their legality and even encourage community and voluntary groups on the new programme to seek legal advice, because I am not sure that those contracts stand. Some goalposts that have changed — other Members talked about them — are on the teaching qualification. It is not reasonable to expect some of the organisations to be able to provide that teaching qualification, particularly when no spaces

are left on the course. Others spoke about the cap on qualifications. We are almost putting a barrier in place for people to reach their potential, because they can reach only the potential that the Department states, which is quite low.

I will focus on presentations to jobs and benefits offices. As I said, I sit on the board of Compass Advocacy Network, which is an organisation for adults with learning disabilities. They have barriers to presenting themselves to jobs and benefits offices, so the ESF, by putting that requirement in place, has created a barrier for them, and that is not really what the —

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

**Ms Sugden:** Yes. Please go ahead.

**Mr Principal Deputy Speaker:** If the Member takes the intervention, I do not have the opportunity to give her an additional minute.

**Mr Swann:** I will be brief. The Member may also be aware that some jobs and benefits offices have not been informed about how to handle ESF queries from organisations.

**Ms Sugden:** Yes, I am entirely aware. We have put a requirement in place that will not work, even in the last instance.

I am keen to hear what the European Commission has to say about this. I hope that it is paying attention to the debate because I cannot imagine that the fund that it hoped that we would present in the most effective way is being presented as such. I cannot imagine that the Commission is happy with it.

**1.45 pm**

**Mr Principal Deputy Speaker:** The Minister has up to 15 minutes to respond to the debate.

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

In responding, I want to acknowledge the important role that the European social fund plays in supporting skills and employability across society. I recognise the sterling efforts made by my officials in ensuring the overall successful delivery of the 2007-2013 ESF programme and the timely commencement of the 2014-2020 one. That is not to say that there have not been problems with implementation in aspects of the delivery of the 2007-2013 programme and the start of the 2014-2020 one. However, my officials and I have been proactive in addressing all of those issues, and, indeed, I directed changes in approach on a number of occasions. Furthermore, for accountability, my officials and I regularly presented ourselves to the Committee, and we continue to engage with a wide range of stakeholders.

The European social fund has been of enormous benefit in supporting our people and economy by giving unemployed and disadvantaged people the training and support that they need to access work. It is a positive reflection on our membership of the European Union and allows us to do things that we might not otherwise be in a position to achieve. By focusing on those most in need of help, ESF assistance is vital in contributing to policies to reduce inequality and build a fairer society. The voluntary and community sector is especially crucial in helping to deliver this provision locally. The sector is often much

better placed than government and its statutory bodies to understand, support and offer meaningful progress to disadvantaged sections of society.

The current ESF round of funding amounts to more than £205 million over the six-year period of the programme. That support is manifested in the fact that we have not made cuts to the new ESF programme. In fact, the programme that we unveiled for 2014-2020 is bigger than the outgoing one, with some £112 million worth of projects being supported during its first three years. The Department is adding a further £5.5 million through its role as a match funder. That is also an increase.

It is also important to recognise that the new European social fund for 2014-2020 is up and running and that we managed that without any break in coverage. This was, nevertheless, a challenging task. Although we had our operational programme agreed by the European Commission early, that still left only a narrow window to commence the programme by 1 April 2015. We are well ahead of many other parts of the European Union, and other UK regions, in having our programme up and running. Only now is the Skills Funding Agency in England, for example, commencing a call for applications to the new programme — for an 18-month period only and starting as late as September 2016 — whereas Northern Ireland projects have been offered a full three years of funding from April 2015. That follows a summer in which providers receiving ESF money in England were forced to lay off staff due to the delays in issuing the 2014-2020 contracts.

The European social fund programme is not a financial vehicle specifically designed to sustain the community and voluntary sector. It is designed to help the individual participants on the programme, in line with the programme's thematic objectives. Voluntary and community organisations are undeniably well placed to assist participants, but there was, I believe, an unrealistic expectation among certain providers that funding would continue into the new programme by virtue of the fact that they had been funded under the old one. The unfortunate reality of any competitive tendering process is that no single organisation has an automatic right to funding.

My officials and I are fully alert to the challenges faced by the voluntary and community sector in adjusting to the new programme. Members have raised a number of issues, and we are aware of and have addressed, or are in the process of addressing, those where possible.

A clear difficulty was the tension created between the documentation required to meet the audit demands of the European Commission and the impact of that on the Department's ability to process and pay claims quickly. ESF projects are understandably anxious to have their claims paid as soon as possible, and I accept that a number had concerns about their cash flow due to the delay in the verification process. However, Members should also recognise that there is an onus on the project to provide the correct documentation, just as there is an onus on the Department to complete the vouching visits and release payments. Likewise, there is a need to recognise that vouching is not a simple process that can be completed overnight. Due to the exacting audit standards required, vouching can be highly involved and often time-consuming. However, as the programme evolves and all parties become more familiar with the new



processes, it should be possible to issue payments more promptly.

I can also assure Members that, when organisations raise problems about cash flow, we respond. As a result, I have directed my Department to implement an interim measure whereby 50% of the ESF and DEL contribution in unpaid claims is paid when the claim is received and vouched later. Applying this process has alleviated the initial financial pressures that the projects have experienced, whilst work continues apace to ensure that all claims are fully vouched in line with audit requirements.

Another concern raised by a number of parties is the requirement for ESF participants to present themselves to jobs and benefits offices to confirm that they are in receipt of benefit and therefore eligible for participation. This is not a new requirement. Nevertheless, project promoters have flagged up certain practical difficulties for participants, especially those who have disabilities. My officials are working with the Social Security Agency and the employment service to see whether there are any practical solutions that can be put in place to address what is perceived by some as a barrier to participation.

Concern has also been expressed about my Department's requirement for ESF tutors to hold an appropriate teaching qualification. My Department's objective is to ensure that participants receive the best possible training and education available, to ensure quality and consistency throughout education and training and to provide a guaranteed minimum level of quality in our teaching. Any departmental requirements for qualifications apply to tutors, not only in delivering ESF projects but in further education college settings, and to providers of the Training for Success programme.

Another concern is the limit on qualifications to be supported under the ESF programme to level 1. This was informed by a range of interconnected reviews of provision and sought to minimise the potential for duplication. This was particularly important in the context of the current budget constraints. It is important to encourage progression. Supporting provision up to level 1 under the ESF programme means that individuals are enabled and encouraged to progress to level 2 and above through other DEL-funded provision.

Members also raised —

**Mr Agnew:** I thank the Minister for giving way. I accept that level 2 and 3 courses can be provided at colleges, but does he not accept that such provision will not suit many people? I give the example from when I worked in the Simon Community of a young person coming out of a juvenile justice centre. The colleges do not have the flexibility to take them on then and there, although education may be the thing that keeps them from reoffending.

**Dr Farry:** This is not an ideal situation. Sadly, it is informed by constraints to our budgets. We are seeking to stretch budgets to cover as many spaces as we can, but it is far from ideal.

I return to the issues connected with the outgoing programme. First of all, we are looking to address proactively the issues relating to the vouching of claims. We have put in place a series of measures as well as accelerated payments for the new programme. We are

working to close off the outgoing programme by the end of the year. Of the 95 projects, a total of 57, I think, are now fully paid with no further claims due. We are waiting for only two potential claims to be submitted, one from Royal Mencap and the other from the Training for Women Network (TWN).

This leads me to the point about Kilcooley Women's Centre that was raised by a number of Members. It is important to clarify for the record that my Department does not have any direct relationship with Kilcooley Women's Centre. It is part of the Training for Women Network on the outgoing ESF programme. The issues are thus for TWN, which has yet to produce its final claim. My officials have gone to great lengths to try to facilitate TWN in doing so, sadly to no avail. We await the receipt of documentation, and that is the problem.

Members have commented about the fact that staff were placed on protective notice in some of the programmes. Going on protective notice, as bad as it is, is better than facing redundancy. I find it a little concerning that some people said we should have waited a little longer before starting the new programme.

That would have meant a situation where we did not have continuity of provision and where some organisations would have had to lay staff off in the interim. We have avoided that in Northern Ireland, and that should be acknowledged.

There were also comments about how we somehow moved the goalposts in the process. We have not moved the goalposts in any shape or form. It is important that we stick to what we have said and that we have clear, objective standards to deal with organisations. That is how we protect ourselves against challenge. Frankly, if we were to start changing things midstream, then we would open a Pandora's box of people coming in with all sorts of claims and allegations against the Department. I think we have held the line well in that regard.

When we took a decision to have flexibility in the further submission of management accounts, that was done in the context where we believed that we had an objective standard that would allow it to happen. It was based on our recognition that there was ambiguity in the guidance notes. That was a flaw, and it meant that some groups had a misunderstanding in how they were reading them at that time. I also want to clarify that we have not had a situation whereby the assessment process has been rerun. We simply allowed further time for the submission of management accounts, which is a much more narrow set of events.

Comment has also been made about our relationships with the European Commission, which I believe to be good. While we have had a rocky road through the interruption to our programme, it is important to clarify that an interruption is not the same as a suspension. Those issues with this type of funding are commonplace across the European Union. We have had close neighbours suffer a suspension of their funds, rather than the interruption that we have experienced in Northern Ireland.

**Mr Swann:** I thank the Minister for giving way. Will he clarify whether he transferred the funds from priority 1 to priority 2 before the suspension happened? Is it simply a matter of semantics?

**Dr Farry:** First, there is a difference between an interruption and a suspension, so it is nothing to do with semantics. The transfer of priorities was done in order for us to ensure that we were able to continue engaging with all the organisations that benefited through the outgoing ESF programme. Through the approach that was adopted, we were able to ensure continuity of provision. It was very much in the interests of the community and voluntary sector that we took that action. Over the past months, we have sought to proactively address the issues raised by the European Commission, and the interruption was lifted towards the end of September.

Members have asked, and the motion calls, for lessons to be learned. I appreciate that Members, project providers and other stakeholders have been critical of how the programme has been handled, both the old and new ESF programme. I have also had my concerns, which is why I have intervened on a number of occasions when it was appropriate to do so. I recognise that lessons can be learned from these experiences.

What has become clear to me in the course of moving from the old ESF programme to the new one is the need for sufficient staff resourcing and planning. To that end, my Department has brought additional vouching staff on board to further assist the process and ensure that it is completed as soon as possible. I am confident that this short-term measure has gone a significant way to addressing the backlog of claims, and will soon bring the managing authority to a position whereby it can efficiently vouch for each individual claim as and when it arrives. We are also continually redeploying staff to respond to pressures as they change. As the work on final payments for the old programme winds down, we will redeploy staff to the payments under the new programme.

Another lesson learned is the need to make the process of vouching simpler, compared to the incredibly detailed process under the old ESF programme. We have introduced a simplified costs model, whereby costs are verified on the basis of a percentage of staff costs. While the initial introduction of such a change has inevitably led to a number of teething problems, the streamlining of claims, once fully up and running, should provide a more efficient and effective system. We have also introduced a new ESF claims tracking system, affording significantly improved management information for better monitoring of the progress of individual claims.

*(Mr Speaker in the Chair)*

We are also conscious of the need for better communication with project providers. As such, we have established a quarterly forum that will give all project providers the opportunity to come together. We have also established an ESF project group to identify and address a number of control weaknesses associated with the old programme, and to ensure those weaknesses do not affect the 2014-2020 programme. Finally, all relevant staff will go through an accredited training programme as part of their continuous professional development to ensure that projects and participants receive the best possible support from the Department.

*The debate stood suspended.*

2.00 pm

## Oral Answers to Questions

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

**Mr Speaker:** It is now time for questions to the First Minister. I am not sure if this is your last, but you are always very welcome. I inform Members that question 14 has been withdrawn.

#### UN Special Rapporteur: Discussions

1. **Ms McGahan** asked the First Minister and deputy First Minister to outline any discussions they have had with the United Nations special rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. (AQO 9128/11-16)

**Mr P Robinson (The First Minister):** With your permission, Mr Speaker, I will ask junior Minister Mrs Emma Pengelly to answer that question.

**Mrs Pengelly (Junior Minister, Office of the First Minister and deputy First Minister):** Officials from our Department met Pablo de Greiff, the UN special rapporteur on truth, justice, reparation and guarantees of non-recurrence on 11 November 2015. The purpose of the visit was to offer an objective assessment of the various initiatives undertaken to deal with the legacies of the Troubles. Discussions focused on the holistic approach being taken to improve services for victims and survivors here. Those focused on the victim support and individual needs programmes and our Department's ongoing collaborative design programme, which we have undertaken in conjunction with the Commission for Victims and Survivors and the Victims and Survivors Service. The programme aims to ensure a level of service provision that better meets the needs of victims and survivors.

The significant progress made by the programme, and the positive feedback received to date, was discussed, along with key strands of work being taken forward under the Stormont House Agreement in relation to advocacy, a pension for those severely physically injured and the establishment of a mental trauma service. The implementation of the Together: Building a United Community strategy was also discussed. Those discussions included the recently published good relations indicators and the application of an outcome-based approach to monitoring and evaluation. Mr de Greiff will now prepare a report on his findings from the visit, which will be presented to the Human Rights Council in September 2016. Our Department will give his advice and recommendations due consideration.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for her response. I want to take this opportunity to wish you all the best in your new role. Considering that the special rapporteur acknowledged in his preliminary recommendations that it is easy to use national security as a blanket term, what steps will be taken to establish mechanisms for dealing with the past that deliver the full disclosure of truth that victims and families deserve?

**Mrs Pengelly:** As the Member will be aware, the issue of national security was the subject of considerable discussion throughout the recent talks process. In all those issues, there is a matter of compromise to be had. On one hand, families want access to truth and information. In particular, many hundreds of families have contacted me and the Office of the First Minister in relation to their quest for justice. However, on the other side of that, there need to be protections in relation to national security. Just this week it has become clear that at least seven attempted attacks across the UK this year alone have been foiled by our security and intelligence services. Therefore, the techniques deployed need to be protected. All citizens across the United Kingdom need to have the protections afforded by the national security protections at a state level, so a compromise does need to be reached, but it has to go both ways.

**Mr Speaker:** I call Mr Edwin Poots. Edwin? We will move on. I call Mr Alec Attwood.

**Mr Attwood:** I wish the First Minister good health and good times whenever he decides to depart from this place.

On Friday afternoon, the new leader of the SDLP, Colum Eastwood, wrote to the British Government and copied the Irish Government, recommending that the revised draft legacy Bill that, no doubt, the British Government have in their possession should be published, not least to inform victims and survivors in a way that they may not have been informed since Stormont House. Given the comments of the First Minister on Friday evening, do the First Minister and junior Minister endorse the recommendation that the leader of the SDLP put to the Secretary of State?

**Mrs Pengelly:** The Member will be very much aware of the position of the Office of the First Minister on the matter. The First Minister recently made clear during the talks process that the DUP supported the proposition by the British and Irish Governments that the entire legacy section should be made available to victims and survivors, and, in addition, that the very substantive piece of legislation drafted at Westminster on behalf of the parties here should be published.

**Mr Cochrane-Watson:** I also wish the First Minister every success in the future after he decides to stand down formally.

Does the junior Minister agree that, to ensure that there is no recurrence, not just the state but groups have to be honest about their actions and the consequences of those actions?

**Mrs Pengelly:** Absolutely. We have made it very clear throughout the process that victims deserve justice and truth. It is very sad that victims have had to wait so long to get that justice and truth. However, throughout the process — in fact, throughout not just this process but the Stormont House negotiations last Christmas and the Haass negotiations — the Office of the First Minister has been absolutely at the forefront of fighting for justice and truth for victims and survivors. Across the House, I think that we support calls for those who have information on any event or act of terrorism in the past to come forward and tell people what information they have and, importantly, tell the PSNI, in order to allow victims and survivors to get the closure and justice that they rightly deserve.

**Mr Allister:** I join in wishing the First Minister a long and healthy retirement.

The UN rapporteur is very clear, it seems, on the need for the truth. Does the junior Minister think that she and the First Minister are getting the truth from their partner, Sinn Féin, given its continuing denial of even the existence of the IRA and its controlling army council? Does not that situation — if Sinn Féin persists in saying that, as far as the republican movement is concerned, there is nothing to disband — make a nonsense of the suggestion that there is going to be a process to disband paramilitary organisations?

**Mrs Pengelly:** Again, the First Minister has been very clear that people need to come forward. They need to tell the truth. They need to give that information. Although there is that quest for knowledge by all of us on those matters, the focus of the question and of my comments today is that the need for truth and justice for victims and survivors in particular is absolutely acute. We know that there are people across Northern Ireland who hold information that could give justice and truth to those victims and survivors. Therefore, today, I would like the focus to be on their cause, and I reiterate that anybody who has information should come forward to the PSNI and give that closure to victims and survivors.

## Racial Equality Strategy: Update

2. **Mr Lyttle** asked the First Minister and deputy First Minister for an update on the racial equality strategy 2014-2024. (AQO 9129/11-16)

**Mr P Robinson:** I thank Members for their kind personal comments.

Our 16-week public consultation instigated much discussion and elicited many opinions from right across society. After the analysis of those contributions was completed, the strategy was revised to take account of the consultation responses, and the revised strategy has been considered and commented on by Executive Ministers. Once the strategy has been agreed by the Executive, we hope to publish it in a matter of weeks. The racial equality strategy establishes a framework for action by Departments and others to tackle racial inequalities and to open up opportunity for all, to eradicate racism and hate crime, and, along with the Together: Building a United Community policy, to promote good relations and social cohesion.

Full and effective implementation of the strategy will be achieved only by Departments working together, in partnership with the voluntary and community sector and other elements of civic society.

**Mr Lyttle:** I thank the First Minister for his response. Despite disagreeing with him fundamentally on many issues, I, too, extend sincere good wishes for his departure from the Assembly when he decides to do so.

In the light of recent serious racist attacks — including petrol bombings, cars being torched, homes being attacked and residents being assaulted in Ballykeel, Ballymena and in my constituency of East Belfast, as well as the desire of the majority in our community to see a united community — is the inordinate delay in delivering a racial equality strategy and a refugee integration strategy not an indictment of OFMDFM? Will he agree that urgent

work still has to be done to ensure that our black and minority ethnic members of the community have the same safety, inclusion and opportunity as anyone else in our community?

**Mr P Robinson:** I think that just leaves out several factors that the Member presumably does not want the House and beyond to be aware of, because, of course, we have a community safety strategy for Northern Ireland that sets out the Executive's commitment to tackle all forms of hate crime. The strategy has associated action plans, including a dedicated hate crime action plan that details the measures that a range of Departments and relevant agencies are taking forward, including officials in OFMDFM, who are represented on the Department of Justice hate crime delivery group, which was established to support the delivery of that strategy.

The Member also seems to think that somehow the delivery of a strategy is, in itself, the answer to these kinds of issues. I hope that the House will join me in absolutely condemning this kind of activity as completely unacceptable. If anybody puts themselves in the place of someone in our community who has come from foreign parts, they will know the degree of isolation that there is and the lack of backup networks that are available to them. I hope that everybody remembers that they should treat others as they would like to be treated themselves. However, let us not get tied down in the process of the strategy. The strategy has been out for public consultation for some considerable time. It has been a very wide consultation and a very considerable response has been received. That has now reached the stage where the revision is before Ministers. As the draft strategy itself talks about being a strategy for 2015 to 2025, I hope that it will be published within a very short period.

**Mrs Hale:** I thank the First Minister for his earlier answer. If I may, Mr Speaker, like many, I would like to pay tribute to the First Minister on what is likely to be his last Question Time and thank him for his years of selfless service to the people of Northern Ireland, and for his friendship and mentoring to me and my daughters.

Will the First Minister outline the role of the crisis fund in helping minority ethnic individuals to deal with emergency situations?

**Mr P Robinson:** First, I thank my good friend for her kind comments.

As I indicated in my first response, traditionally, people who come from ethnic minorities have fewer and weaker network supports and, from time to time, that means that they have to rely on the crisis fund for support. The crisis fund is, of course, there to give help to those who are destitute. Last year, I believe that the fund distributed about £36,600 and, this year, has £100,000 available to be used. Some have asked whether the crisis fund will be used for Syrian refugees. The answer is that, while technically it could, I think that the provision of the scheme under which they would be coming is such that they should not be destitute and, therefore, would not need to fall back on that fund.

**Mr Dallat:** I thank the Minister for his answers and, of course, like everyone else in the House, wish him all the best for the future, particularly in good health.

The Minister will agree with me that those involved in hate crimes are not really bothered about strategies or plans or all the other things that we get involved in, but they might well understand a change in the hate laws that would make it very clear that those who get involved in that kind of criminal activity will spend a long time behind bars, while the wider community, particularly the minority communities, are safe. What is the Minister's view on changing the hate laws?

2.15 pm

**Mr P Robinson:** I agree with the Member that those involved in such activity would probably have difficulty even reading a strategy. The strategy is for Departments and others to coordinate their efforts to ensure that we, as a community, unite and speak out against such activity. In that context, a strategy is valuable.

In terms of toughening the laws, there is a wide range of areas in our society where there is a requirement for severe deterrents. I would be happy for a review of the lengths of sentences and punishments and sanctions on race-hate and other types of hate crime.

### Anti-poverty Strategy

3. **Mr Hazzard** asked the First Minister and deputy First Minister, given the outcome of the legal challenge by the Committee on the Administration of Justice against the Northern Ireland Executive, when they will introduce an anti-poverty strategy. (AQO 9130/11-16)

**Mr P Robinson:** Mr Speaker, with your permission, I will ask junior Minister Mrs Emma Pengelly to answer that question.

**Mrs Pengelly:** We have accepted the court's judgement on our statutory obligations to provide an anti-poverty strategy, although I was disappointed that the court did not give more weight to the significant range of actions that we have been taking to address poverty, social exclusion and deprivation, particularly the innovative and exciting work on our Delivery Social Change framework and on developing an outcomes focus on addressing poverty and the consequences of poverty.

Through the Executive's Delivering Social Change programme, we have committed over £100 million to reducing poverty and the consequences of living in areas of deprivation. We have spent over £27 million on our Delivering Social Change signature projects, including significant contributions to the projects jointly funded with Atlantic Philanthropies, which in total are worth almost £60 million over this year and the next three years. In all that work, we have focused strategically on improving outcomes across a range of poverty and deprivation measures, including health, education and developing the economy to improve the lives of those in poverty.

I am disappointed that the court took a very narrow view on the definition of what constitutes a strategy, but we are working to address the concerns of the court, and we will bring forward proposals in the coming months, following appropriate consultation and deliberation.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her answer. What effect will the changes to the Child Poverty Act proposed in the British



Government's Welfare Reform and Work Bill have on tackling child poverty in the North? Go raibh maith agat.

**Mrs Pengelly:** We have had many discussions over the last five years, particularly in the context of Delivering Social Change, on the most appropriate measures. The child poverty legislation kept many of the child poverty measurements. Those measurements are entirely income-based, so they do not measure, for example, poverty in education, opportunity or aspiration; they simply measure how much income a family has.

Neither do they take into account a range of measures from the Executive to keep family household outgoings down. We were always of the view that there were flaws in how the measurements were carried out. The Conservative Government have indicated very clearly that they are looking at those issues, although the detail is not clear at this stage. However, our outcomes-based approach looks much more widely than those income-based measurements in the legislation. I suspect that we will continue to do that. If you look at our indicators on education, health and a whole range of other issues, it is not just those measurements. So, regardless of whether those measurements change or remain largely the same, the Northern Ireland Executive will continue to look at poverty across the spectrum, not just income poverty.

**Mr Lyons:** I welcome the junior Minister to her new role and wish her well. I also join with others on these Benches in thanking the First Minister for all his years of service, not only to our party but to our country. We wish him well in his retirement. Will the junior Minister give us her view on the proposition referenced by some that spatial deprivation should be the main way of allocating funding on objective need?

**Mrs Pengelly:** There has been a great deal of misunderstanding in relation to the court judgement. It did not examine whether the Office of the First and deputy First Minister and the Northern Ireland Executive were fulfilling their obligations in relation to objective need; rather, it examined whether the work that we carried out constituted a strategy. The judgement was absolutely clear that it would not go into the detail of objective need and a definition of it, so there has been some confusion. I welcome the opportunity to clarify that.

There is a proposition out there that all our programmes should be rolled out in relation to spatial need; so, depending on whether you live in a particular area or another area, you should get a range of services. However, that is not what objective need means. In fact, the Northern Ireland Executive roll out the vast majority of their programmes to address poverty and deprivation in relation to objective need, but that objective need pertains to either the individual or the family. If you have a health need, your personal, objective, medical needs are taken into account. If you are unemployed, it does not matter whether you live in Comber, Richhill or north Belfast, you objectively get support from the Government for that. The vast majority of the services that we roll out through the Northern Ireland Executive are on objective need, but not necessarily on spatial objective need.

That said, targeting programmes in relation to spatial deprivation is also very important. It is clear from our research that, where a range of social deprivation factors come into play — my colleague from the Department

for Social Development will be very aware of this — the outcomes can be particularly bad for young people. There are a range of programmes through the Department for Social Development and OFMDFM that we will continue to roll out in relation to spatial deprivation. But there is a lot of misunderstanding in relation to objective need. There needs to be greater clarification about that. Hopefully, we will take the opportunity to develop the strategy and give clarity on that matter.

**Mr Speaker:** Thank you for that detailed answer, but I remind you that there is a two-minute rule.

**Mr A Maginness:** I wish the junior Minister well in her new role, and I look forward to working with her. I wish the First Minister well in his retirement.

There is a purported commitment to an anti-poverty strategy by the Office of the First and deputy First Minister. Given the fact that they have handed welfare back to Westminster and the prospect of the introduction by the British Government directly here of a benefits freeze and an individual benefits cap of about £20,000, does that not sit uneasily with any purported anti-poverty strategy?

**Mrs Pengelly:** In our work on social change over the last five years, the Office of the First and deputy First Minister has taken a deliberate change in approach. Prior to that, we collated significant strategies; we asked all the Departments about what they were doing in relation to anti-poverty activities. We produced that and monitored progress against it. At the end of that process, I was not particularly convinced that we had achieved anything, so, around four or five years ago, we changed our approach quite fundamentally to look at, for example, delivery frameworks and targeting specific actions to address poor outcomes. We also engaged with a wide range of academics, experts and stakeholders on these matters. It was very clear from that work that income poverty need not lead to bad outcomes. That is very much at the heart of our Delivering Social Change agenda.

The Northern Ireland Executive have been absolutely keen to keep as much money as possible in families' pockets. We refused to introduce water rates, for example, to try to keep costs down for average households. In addition, we looked at a range of initiatives to try to address where poverty was influencing poor outcomes.

Rather than just concentrating on the income of the family, for example, we looked at the education project under Delivering Social Change. We introduced the literacy and numeracy scheme, and 16,000 young people across Northern Ireland benefited from that. It did not affect the income of the family, but it was very clear that, after the first year of its operation, there was a 6.3% increase in the number of non-grammar school pupils achieving five GCSEs at grades A to C. That is a direct outcome of an anti-poverty intervention that is not necessarily income-based.

**Mr Cree:** I also wish the First Minister and the junior Minister well in the future. Does the Minister agree that the Minister is the Department, and, therefore, the fact that a junior OFMDFM Minister welcomed the court ruling against OFMDFM either proves a poor understanding of the workings of government or is a very frank admission of the dysfunctionality of OFMDFM?

**Mrs Pengelly:** I can speak only for myself. I have been clear that we have accepted the court's judgement,

although I have to say that I was very disappointed in it. The court specifically looked at the definition of a strategy. In OFMDFM, we have the child poverty strategy. We had adopted the architecture and key principles of Lifetime Opportunities, which was the anti-poverty strategy, and rolled out the Delivering Social Change delivery framework. Along with that, we had the six signature projects on which, as I mentioned, we spent £27 million. I honestly believe that those projects have made a very fundamental difference to people's lives. I mentioned the 16,000 young people who have had numeracy and literacy support. Some 3,300 families have been supported through the family support hubs, and 650 families have been supported by the supporting parenting signature project.

I honestly believe that significant work has been done. It is valuable work. I think that this is the right approach. Rather than having a strategy that does not necessarily achieve anything, we have a delivery framework that is delivering changes on the ground and producing results in outcomes. I have indicated that I am disappointed in the court's judgement, but we have accepted it. We will now move to bring all that work together and produce a strategy.

## International Promotion of NI

**4. Mr McCallister** asked the First Minister and deputy First Minister for an update on their work to promote Northern Ireland internationally. (AQO 9131/11-16)

**Mr P Robinson:** Mr Speaker, it is not often that the person who is asking a question so early on is not sure whether it will be reached.

The promotion of Northern Ireland internationally is a key strategic aim of the Executive's international relations strategy. We recognise the crucial role that enhancing our international credibility plays in securing the Executive's objectives. Our international priorities are focused on developing working relations in the United States, Europe and the People's Republic of China. The three Executive offices in Washington, Brussels and Beijing continue to play a significant role in this international outreach.

Over the past 10 years, the Washington bureau's nurturing of important relations with senior US Government officials has been integral to Invest Northern Ireland's unprecedented success in attracting US investment into Northern Ireland. The Brussels office continues to influence European policy and legislation on behalf of the Executive. In 2014-15, it hosted seven ministerial visits and some 60 events, with almost 2,500 visitors. To put this in a financial context, the Executive have drawn down £72.7 million of competitive EU funds in the last three years.

Our relationship with China is still in its early stages, but we are already starting to see positive results. We recently welcomed three senior Chinese Government Ministers and four economic delegations to Belfast. A number of Government-to-Government agreements in areas of economic cooperation, education and cultural promotion have been signed. Progress continues to be made in securing market access for our local agricultural products. Over recent months, we have hosted the Australian high commissioner and the ambassadors of Mexico, France and Finland to Northern Ireland. These representational meetings develop important diplomatic relations with other Governments and contribute to our wider international aims.

**Mr McCallister:** Like colleagues, I wish the First Minister well. He was nothing but courteous in his dealings with me, which I appreciated very much. I wish him and his family well in his retirement.

The First Minister no doubt knows the impact that instability has and the difficulty of promoting Northern Ireland internationally when there is instability. Does he agree that we cannot go through another mandate with an Executive that have such instability and that are at odds with themselves?

## 2.30 pm

**Mr P Robinson:** First, I thank the Member for his kind remarks. I agree with his question entirely. Towards the end of last week, I was speaking to a large group of businessmen. While they were full of the issue of the reduction in the level of corporation tax — the date and rate having been set — I told them that by far the most important aspect for business in the agreement that had been reached was the fact that there was to be stability in Northern Ireland. That is key for business decision-making. That is why we are right to call it 'A Fresh Start'. I think that business people know better than most that the environment in which they have to operate is key, so I agree with the Member entirely. I believe that the foundations have been laid in that agreement. There are no issues that should trip up the Executive in taking the positions necessary to have a sustainable Budget and be able to take decisions on behalf of the people whom we represent.

**Mr Speaker:** That brings us to the end of the period for listed questions. We move now to 15 minutes of topical questions.

## Big Lottery Fund

**T1. Mr Lynch** asked the First Minister and deputy First Minister whether they agree that any attempt by George Osborne to use the Big Lottery Fund to supplement proposed cuts in departmental spending should be resisted. (AQT 3161/11-16)

**Mr P Robinson:** I do. My alarm bells went off when I heard the speculation that the Chancellor may move in that direction. Those of us who were active in politics at the time of the introduction of lottery funding, and, probably, many who were not, whatever their view might have been of having the National Lottery, recognised that the key ingredient was additionality and that it should not be used by government as a method of taxation to fund various necessary projects. I agree entirely with the Member, and I am pretty sure that the deputy First Minister and I would be agreeable to making known our views, and, I hope, the views of the House, to the Department for Culture, Media and Sport before any announcement is made.

**Mr Lynch:** Gabhaim buíochas leis an Aire as a fhreagra. I thank the First Minister for his answer. Does he agree that this could have a hugely negative impact on the community and voluntary sector and damage many projects that are under way?

**Mr P Robinson:** Unquestionably, it will. Even in the last year, the Big Lottery Fund has, I think, made about 500 awards in Northern Ireland, totalling about £4.5 million. On top of that, it has assisted in granting about 800 organisations in Northern Ireland, ranging from community groups to some of the more

strategic partnerships. Most of us will know that there was an intention on the part of the Big Lottery Fund to have a new programme on people in communities at the beginning of next year. If there is a change to the awards that it is permitted to make, it is likely that the people in communities project could be the first victim.

### Stormont Agreement and Implementation Plan: Financial Package

T2. **Mr Givan** asked the First Minister and deputy First Minister for their assessment of the financial package from the United Kingdom Government that was presented in last week's agreement. (AQT 3162/11-16)

**Mr Givan:** May I associate myself with the warm tributes that have been paid to the First Minister? Peter Robinson's career has spanned three generations of my family. Like him, my grandfather was a founding member. I thank him for the legacy that he has left us: he has left Northern Ireland more secure than ever before within the Union.

**Some Members:** Hear, hear.

**Mr Givan:** I thank him, too, personally, for the support and the opportunity that he has given to me. It has been a privilege to serve with him in the Assembly.

**Mr P Robinson:** I am grateful for the comments. It has been somewhat of a surreal experience. It is almost as if one was dead and listening to the obituary, but I am, I hope, still very much alive, and will remain so for some time to come.

I suppose that the reference to three generations is another way of saying, "Peter, you are very old." [Laughter.] On the issue of the finances of the Stormont Agreement and Implementation Plan, we should, first of all, remember that this is our second bite at this cherry because we did get a significant financial package previously. Some people unkindly and wrongly referred to it as being a bit of smoke and mirrors because of the £2 billion spending plan. It was a substantial amount of money and was not all direct funding; it did have that element of borrowing. What some people — those who probably do not have a great deal of financial knowledge — probably did not realise was that, even though it was borrowing, it was immediately making available to us real cash because of the savings in our spending, particularly as a result of the voluntary exit scheme.

This new package amounts to around £560 million. It ranges particularly across those issues that will help the PSNI on security and paramilitary matters. It also has the invest-to-save element for fraud and error. The modest figure that has been put down for our savings in that is £150 million. I have to say that the earlier assessments that we had from DSD and DFP were considerably more than that, but time alone will tell what that turns out to be.

All in all, this makes a substantial additional element of funding available to the Executive. It allowed us, at our last Executive meeting, to clear the paper that the Finance Minister brought to us on the November monitoring round. It is very clear that, without any difficulty, we will be able to make ends meet this year.

**Mr Givan:** Thank you, First Minister. In the run-up to the agreement, the leader of the Ulster Unionist Party made apocalyptic claims that we were mortgaging our children's

future to the tune of some £0.5 billion. In the light of the reality of the financial package around the agreement, would the First Minister like to comment on Mr Nesbitt's economic analysis?

**Mr P Robinson:** This one is a bit of an open goal to kick at, really. I think that I will resist the temptation.

**Some Members:** Go on. Go on.

**Mr P Robinson:** It is sufficient to say that while the leader of the Ulster Unionist Party was absolutely sure that this would be borrowing and that our children and our children's children would have to pay for decades to come, not one penny of this additional funding is borrowing. It is all money that is available to the Executive and which our children will not have to pay for. What our children would have to pay for is the futility of those who cannot see that the future of Northern Ireland rests on our having a shared future, moving forward together, trying to get stability in Northern Ireland and ensuring that we have an era of peace and prosperity for all those who we represent.

### Flags, Identity, Culture and Tradition

T3. **Ms McCorley** asked the First Minister and deputy First Minister whether they agree that the commission on flags, identity, culture and tradition should give meaningful consideration to the inclusion of our cultures and identities in public symbols, similar to that being discussed in New Zealand. (AQT 3163/11-16)

**Ms McCorley:** Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. Agus guím gach rath ar an Chéad-Aire san am atá le teacht. I thank the First Minister for his answers, and I, too, wish him well for the future.

**Mr P Robinson:** I am grateful for the Member's remarks. Within the agreement and implementation plan, it is agreed that the commission should be set up before March 2016, I think, but that the advertising for it should occur before the end of December. The purpose of that group is to go around Northern Ireland to speak directly to people, open up debate and have a conversation with the people of Northern Ireland about those issues which have dogged society for so long.

I think that we need to have a better understanding of the position that we each have. There are deep-seated differences in Northern Ireland about identity, culture and other matters. The way to break down those differences is to ensure that we have an understanding. I hope that the meetings and engagements that will take place will do so in a positive spirit, where people are indicating how important their positions are rather than trying to live off bringing down somebody else's tradition and background. Let us try to have the best of our two traditions rather than enmity between them.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. The First Minister said that those engagements should be positive. Does he agree that it is also very important that they are inclusive and respectful?

**Mr P Robinson:** They will be meaningless if they are not inclusive. There is no advantage in going out to get people's views and to cut off any particular interest simply because it does not accord with the view of someone on the panel that is looking at the issue. The engagements must be inclusive and, if we are to truly benefit from them,

we need to respect and understand other people's views. What hope would there be if we wanted to have our own positions respected and understood but were not prepared to give that same degree of respect and understanding to others?

**Mr Speaker:** Question 4 has been withdrawn. I call Mr David McIlveen.

## Fresh Start at Stormont

T5. **Mr D McIlveen** asked the First Minister and deputy First Minister, given that, in his many years of service, the First Minister will have become accustomed to naysayers, even when something very good has been on the table, whether the First Minister agrees that last week's agreement really does represent a fresh start at Stormont. (AQT 3165/11-16)

**Mr D McIlveen:** I, too, want to pay tribute to the First Minister for the four faithful decades of service he has given to this Province of ours. I have no hesitancy in saying that when books are being written about Mr Robinson, many of his critics will be lucky to get a footnote. I want to pay tribute to him in the strongest possible terms and wish him every blessing for his retirement.

**Mr P Robinson:** I thank my friend for his remarks. There will always be people who have genuine misgivings about agreements that are reached, and there will be those who decide before an agreement is ever reached that they have misgivings about it. Even before the agreement was written, some references were being made about how unacceptable it was. However, it is worth pointing out to those people that, ultimately, the electorate in Northern Ireland will judge whether it wants to have wreckers deciding the future of Northern Ireland or whether it wants to invest its future in the hands of those who genuinely want to make a fist of the most difficult circumstances to move Northern Ireland forward.

I believe that we have done that in the agreement that has been reached. It has not ducked the very critical issues that were causing the Assembly and the Executive to collapse. It has dealt with welfare reform, paramilitarism and budgetary issues and we have found ways to improve the way in which the Assembly and the Executive function. There are issues that are still to be resolved and we have not tried to hide that, but even on those, we made progress. I hope that, in the time to come, we can make still further progress.

**Mr D McIlveen:** I thank the First Minister for his answer. He touched on the issue of paramilitary activity. Does he agree that the provisions in the Stormont Agreement offer, perhaps, the most comprehensive package of measures ever to deal with paramilitary activity in our Province?

**Mr P Robinson:** They do, unquestionably, and I do not think that anybody could take away from that fact. What I find most positive about the section on paramilitarism is that we have agreements that everybody in the House can sign up to. It is about standing together against paramilitarism in all its emanations. It is about having principles that we are all agreed on. We have put down a set of principles that are not just for Ministers to take when they go into office — although they will be part of the ministerial code's Pledge of Office — but for every Member of the Assembly to take.

There are key actions. You will have a task force that will take the drive against paramilitary criminality. You will have a strategy being brought forward by a panel for the total disbandment and the end of all of the structures of paramilitary organisations. You will have a monitoring and assessment body that will be able to look at the progress that is being made, and you will have the very considerable resources being made available, which I referred to earlier and which will help it do the task that it has to undertake. That whole range of issues shows that, with the goodwill of all the parties in the House, we can really make progress and, I trust, have the end of paramilitarism in Northern Ireland once and for all.

2.45 pm

**Mr Speaker:** I call Mrs Jo-Anne Dobson. I am afraid that we only have time for your question, not a supplementary.

## Organ Donation: Soft Opt-out System

T6. **Mrs Dobson** asked the First Minister and deputy First Minister whether the First Minister still supports the campaign to bring a soft opt-out organ donation system to Northern Ireland. (AQT 3166/11-16)

**Mr P Robinson:** The Member knows my view on wanting to drive up the number of people who are willing to donate organs in our society. The Minister has already answered for the Department in that matter. There is a letter from clinicians, and I am very much aware that there are dangers when politicians try to tell the medical professionals what is best in their area. The outcome that I want to see is more organ donation. I do not run away from the issues in the Bill. There is some concern that the Bill as it is presently worded may not have the outcomes that are being suggested. Whatever it does, I think that it is incumbent on all of us — I am happy to leave my trust in the Health Minister in this respect — to ensure that we get the very best result for those who do need organs and have them available when they are needed. I trust that, whatever mechanism is used to bring that about, it will have that outcome.

**Mr Speaker:** Thank you very much. Time is up. Best wishes, First Minister. Thank you very much.

**Some Members:** Hear, hear. [Applause.]

## Social Development

**Mr Speaker:** We move on to questions to the Minister for Social Development. I cannot promise you a round of applause.

I call Mr John McCallister. [Interruption.] I call Mr John McCallister. Let us move on.

Just because we need the extra time, I will give you that amount of grace. Pay attention, please. John McCallister.

## Social Housing: Allocation

1. **Mr McCallister** asked the Minister for Social Development for his assessment of the current process for allocating social housing. (AQO 9143/11-16)

**Mr Storey (The Minister for Social Development):** Thank you, John, for eventually getting to question 1. The



current housing selection scheme has been in place since 2000. A consultation published in 2011 by the Housing Executive suggested four changes to the scheme. My predecessor took the view that a more fundamental review of the scheme was required, and this has been taken forward by my Department in close discussion with the Housing Executive and the Northern Ireland Federation of Housing Associations. It is clear from this review that there is strong support for many aspects of the current scheme. However, it is also clear that, after 15 years in operation, the scheme may benefit from some changes to make it operationally more effective.

Independent research was commissioned by my Department to consider the operation of the scheme in Northern Ireland, examples of good practice elsewhere and recommendations for change. This research was made available with a number of recommendations that would significantly alter the current scheme. The research was published by my Department for discussion in 2013, and, last year, I published a summary of the responses. I am of the view that changes are needed to the current scheme to ensure that those in the greatest objective need are prioritised and to ensure that the common waiting list operates smoothly and effectively to enable those who are in the greatest housing need to access accommodation.

I am continuing to give my consideration to the proposals for change as they develop and to ensure that any proposals are supported by evidence of the need for, and benefits of, changes to the scheme. My officials are working with the Housing Executive to consider the evidence available. Any proposals will be presented to the Social Development Committee as soon as possible.

**Mr McCallister:** Thank you, Mr Speaker. Sorry for being momentarily distracted.

I welcome the Minister's reply and the fact that he is looking at the issue. He will know that I have raised with him in private the point about when a family's circumstances change. Should we move to a model more like the one in the rest of the country, whereby housing allocation is reviewed after a set time? I think that, in other parts of the country, it is reviewed after seven years. Should we not look at and give serious consideration to a model that looks at changes in circumstances but does not necessarily seek to remove people from social houses, and consider whether the current model is most appropriate model for housing allocation, given the stresses on it?

**Mr Storey:** I thank the Member for his interest in the issue. We, as Members of the House, have to deal with it day and daily in our constituency offices, as people seek to find appropriate accommodation and, in some cases, accommodation.

This question is always asked: will housing need to continue to feature in the allocation process? That is a fundamental question that we need answered. There are no proposals at this time to move away from prioritising housing need. The research found that there is strong and continued support for the prioritisation of applications and the allocation of accommodation primarily on the basis of housing need. Stakeholders agreed that there was, and needed to be, a continual debate on how well the current system captures objective housing need. The work that we have done to date and the recommendations that we

are considering are all part of how we can come to an agreed position. I say that for this reason: I am concerned that this will become another very divisive issue. There is nothing more sensitive, and there is nothing that could be more easily used by others for all the wrong reasons to generate opposition and strife around an issue on which there should be general, broad acceptance, which is ensuring that we meet the needs of people in need of priority housing.

**Mr Dallat:** I thank the Minister for his sincerity in appreciating just how important social housing is. Given that housing associations have been with us now for more than 20 years and are a mixed bag — some of them are good, while some of them have come before the Public Accounts Committee for all the wrong reasons — is the Minister of a mind to consider giving the Housing Executive responsibility for providing some social housing in the future?

**Mr Storey:** During the journey that I have been on for the past number of months, I have endeavoured to work with all the housing providers that we have. Housing is a very complex issue, and it is not solely down to one organisation. I appreciate the work that has been done, although there are times when we have had our differences with the Housing Executive and the housing associations.

Let us remember, however, that we also need the other providers, be they co-ownership or private sector. I said recently at the Federation of Housing Associations annual conference that I want to work continually and collectively with all the housing providers to give the best outcome. What is the best outcome? It is to continue to provide good-quality homes. Consideration should be given to the Member's point. However, he will also have to appreciate that I am trying to move a number of organisations at different paces and at different times. I have rehearsed the point that the one objective for them collectively is to keep the focus on the delivery of good-quality homes, because that is the one thing that will transform and change our society. We have had many examples in Northern Ireland of when we have delivered good-quality housing for our communities and our people.

**Mr Cochrane-Watson:** Does the Minister acknowledge that, under the current points system, there is a distinct group, namely our armed forces, who are not getting the necessary priority in housing and, indeed, the support that they deserve when they return to Civvy Street?

**Mr Storey:** I thank the Member for his question. Under the current housing selection scheme, priority is awarded on the basis of objective housing need, as we have said. Points will be awarded where the applicant or a member of the applicant's household is returning to civilian life at the end of their service in the armed forces and no suitable alternative accommodation is available or the applicant could not reasonably be expected to seek such accommodation.

Points will also be awarded where the applicant or a member of the applicant's household is the widow or civil partner of a recently deceased serviceman or servicewoman and is no longer eligible for married or other service quarters and no suitable alternative accommodation is available or the applicant could not reasonably be expected to seek such accommodation.

I have no plans at this stage to increase the number of points awarded to people who have left the armed forces, but the armed forces covenant proposes that members of the armed forces community should have the same access to benefits and social housing as many other citizens and should not be disadvantaged by the requirement for mobility whilst in service. My Department's policies, I trust, accurately reflect that aspiration.

**Mr McNarry:** The Minister quite rightly pointed out how this issue can be divisive, and one would hope that all efforts would be made to prevent that. Have we reached a position where, in order to increase understanding regarding housing provision, we might need to redefine what he calls "the need" these days?

**Mr Storey:** That is what I was trying to say in terms of the consultation that was published back in 2011. At that stage, the Housing Executive had suggested four changes to the scheme, and my predecessor brought forward the fundamental review of the scheme. I do not think that any of these things ever stay static. It is easy to come to this House and to refer to reviews and strategies and all of that, but the reality for us all is how we respond to this and how the response is given to our constituents and the Member's constituents who come to him on that particular issue. I assure the Member that we are giving serious consideration as to how we can make improvements where they can be made in a way that benefits and is in the best interests of people seeking quality homes.

**Mr Speaker:** Before I call Peter Weir, I inform Members that question 8 has been withdrawn within the appropriate protocols.

### Queen's Parade, Bangor: Update

2. **Mr Weir** asked the Minister for Social Development for an update on the Queen's Parade regeneration scheme in Bangor. (AQO 9144/11-16)

**Mr Storey:** I thank the Member for his question. My Department stepped in and is taking forward a major comprehensive development scheme in Bangor town centre. This long-awaited and much-anticipated scheme will transform the town centre, bringing many new jobs, homes, shops and offices, and it will act as a major attraction for visitors. There is widespread support for my Department's actions, and officials regularly meet with statutory bodies, elected members, local business and community representatives to keep them informed about the process.

My officials, in partnership with the council, are on target to appoint a private-sector developer, who will be responsible for constructing the scheme in September 2016. The estimated cost of the scheme is £60 million, and it will be financed by the private sector. In March this year, my Department attained planning approval for a scheme that will provide in excess of 25,000 square metres of floor space. The new development includes residential, retail, commercial and hotel accommodation, restaurants, cafes, a courtyard plaza and public open space on Marine Gardens. The proposals will complement the public realm works, which are nearing completion, and restore the area into an attractive, vibrant, inclusive place for everyone to enjoy, and enhance the reputation of the town as a key tourist and shopping destination in Northern Ireland.

### 3.00 pm

**Mr Weir:** I welcome the Minister's response and the work that has been ongoing between his Department and local stakeholders, particularly the local council. What is the anticipated timescale for the start of the project?

**Mr Storey:** I thank the Member and concur with him on the benefit that this will bring to Bangor, which is a place that we all enjoy visiting. We have many happy memories of being in that seaside town, and I trust that these works will make a huge contribution to that experience for many others. The granting of the planning permission was a key step in the development of this process. I want to pay tribute to the council, not only for its financial contribution but for the work that it has done with my Department. We are working closely with the council and hope to appoint a private-sector development partner in September 2016 to take forward the proposals. It is estimated that ground works will commence about 12 to 18 months after the appointment of the developer.

**Mr Cree:** Minister, can you confirm to the House whether all the property has been acquired at this stage and whether there will be a development brief, as we used to know it?

**Mr Storey:** I thank the Member for his question. I can inform him that the majority of the property is now in the ownership of my Department. My officials have been negotiating with the three remaining property owners for a number of months to achieve agreement by mutual consent. Negotiations are ongoing. However, it is unlikely that agreement will be reached for all the properties, and the Department has issued intention-to-vest notices to the remaining property owners. My Department also requested a public inquiry into the decision to adopt a development scheme for Queen's Parade and the issue of vesting notices, and that is set for February 2016. A final decision on making and enacting the vesting order will be made following the public inquiry.

### Public Realm Improvements: Lagan Valley

3. **Mr Givan** asked the Minister for Social Development, following the completion of the public realm scheme in Lisburn city centre, to outline any further public realm improvements planned for Lagan Valley. (AQO 9145/11-16)

**Mr Storey:** I thank the Member for his question. I attended the launch event for the newly completed Lisburn public realm scheme earlier this month and was impressed with the transformation brought about in the city centre, especially the event space in Market Square. I thank the Member and his colleagues for the hospitality that they showed me when we came to Lisburn city centre bearing good news.

The Lisburn public realm scheme was designed to create a world-class space with unique and interesting features and was introduced to showcase the retail offering in the city and to improve the pedestrian experience by reducing the dominance of the car in the city's streets. The transformed environment will be a great driver for investment, tourism and economic prosperity. The poor-quality environment in a number of streets in the city centre has become even more apparent following the recent public realm improvements, demonstrating that there is need for further intervention. My Department, in conjunction with the

council, is exploring this potential in considering a Lisburn linkages project that would see public realm improvement works to the streets that link to the Market Square and Bow Street area. Naturally, the project will be subject to the necessary positive economic appraisal and to the availability of future finance.

Looking beyond Lisburn in the Lagan Valley constituency, I hope shortly to announce the appointment of a consultancy team to deliver a transportation assessment for Dromore town centre. My Department will continue to work with the council and its officers to identify suitable projects that could be taken forward in the main urban towns in the Member's constituency.

**Mr Givan:** I thank the Minister for that response. He should know that he is always welcome in Lagan Valley, especially when he brings the departmental chequebook, which we hope is opened again in due course. We, too, in Lagan Valley hope that the public realm scheme will act as a stimulus. There are already new shops opening, and we trust that that will continue to be the case.

The Minister will be familiar with the Laganbank quarter development, a project for which the council has developed a master plan.

Is this a scheme that the Department would be able to come on board with and support?

**Mr Storey:** I thank the Member and concur with his comments. In the way in which these schemes and projects are delivered, it is vital that we have a working relationship with the local council. We have seen delivery in what has been achieved in this scheme.

He referred to the Laganbank Quarter development scheme, a key development project identified in the Lisburn master plan. My Department considers that scheme to be in the public interest in order to achieve the proper planning of the area and as an impetus to the revitalisation of Lisburn city centre as a whole. It was on that basis that the notice of intention to adopt a development scheme in the Laganbank Quarter area was published in the local press during the last two weeks of February 2015. The 28-day objection period that followed attracted one representation. My Department, in conjunction with Lisburn and Castlereagh City Council, intends to appoint a consultancy team to support the bringing forward of a high-quality regeneration scheme on the proposed sites in the Laganbank Quarter area of the city of Lisburn.

**Mr Allister:** Minister, what lessons were learned from the Lisburn scheme, which was notorious in its delays etc? My reason for asking is that, judging by the volume of complaints that I am now receiving about the scheme in Ballymena, there seems to have been a dearth of lessons learned, in that delays and huge inconvenience seem to be the order of the day.

**Mr Storey:** I thank the Member for his question. Like him, I trust, I try to learn lessons. You always learn from revitalisation schemes and public realm works. There was some connectivity between those involved in one scheme and the other. He made reference to Ballymena in our North Antrim constituency. That is an ongoing situation, and, as he will probably know, that work has ceased for the Christmas period, as was agreed, and will recommence on 6 January, I think.

In these schemes, whether in Lisburn, Ballymena or any other part of Northern Ireland, you can always learn lessons. Maybe that is a lesson that the Member should take to heart.

## Affordable Warmth Scheme

4. **Mrs McKevitt** asked the Minister for Social Development for his assessment of the delivery of the affordable warmth scheme across each council area. (AQO 9146/11-16)

**Mr Storey:** I thank the Member for her question. The affordable warmth scheme is a new and innovative approach to tackling fuel poverty in Northern Ireland. The scheme is delivered in partnership with the 11 local councils and the Northern Ireland Housing Executive. All 11 councils have shown full commitment to the scheme and, as well as assessing homes for affordable warmth, they have been able to introduce other council services such as home safety checks.

The affordable warmth scheme's focus is on helping those in the most severe fuel poverty by targeting them directly and installing measures to increase energy efficiency in their homes. This approach has been endorsed by leading fuel poverty experts in academia and lobbying organisations. The targeted nature of the scheme means that there is no need to take any additional measures to maximise take-up as local councils have extensive lists of potentially eligible homes to visit.

Almost £9 million in affordable warmth scheme grants has been approved to improve the energy efficiency of homes in the most severe fuel poverty. Those homes are receiving cavity and loft insulation, new and improved heating systems, and even replacement windows if needed.

My Department has recognised that it is taking longer than anticipated to process applications. The Housing Executive is carrying out an urgent review of the process, aimed at streamlining it, whilst maintaining financial and eligibility assurance levels. Some changes have already been made that will speed up the process. My Department will carry out a comprehensive end-of-year review to examine performance to date and scheme qualifying conditions and to process effectiveness and delivery arrangements, including the potential for easier access to installers.

**Mrs McKevitt:** I thank the Minister for his response. I understand that the 11 councils are committed to the scheme. Has he any suggestions for the councils that have not taken up the scheme as much as others so that delivery can be improved? It is such a popular scheme, and we should try to get a geographical balance.

**Mr Storey:** We all have a duty to do that, and I encourage Members to do so in their constituency offices. However, the council should be the first port of call because we have now been able to secure the involvement and inclusion of, and a working relationship with, the 11 councils. When any new scheme is put in place, issues will always be identified. It goes back to an earlier question: can we learn any lessons? We are learning lessons as we go through the new affordable warmth scheme.

Some time ago, I had the opportunity to visit a number of homes, some in very remote areas, that have benefited

from the scheme. One issue that was raised is how we address rural areas in particular. I visited some of those particularly rural locations and spoke to people in isolated areas whose homes have benefited from substantial works, including new heating systems and loft insulation. Rather than doing just one element of work to a property, a more holistic approach has been adopted, and that has been beneficial. I encourage Members to urge those with whom they are in contact in councils to make more information on the scheme available to people.

**Mr Newton:** I thank the Minister for his answers so far. Will he confirm when the review of the affordable warmth scheme will be completed and implemented? What are the expected outcomes of the review?

**Mr Storey:** That goes back to an earlier answer. When you look at any scheme, you can always learn from past experience. I do not want the review to last very long or to be protracted. I trust that, as we go through the review process, we will soon be able to identify where we can make useful and valuable changes so that, as I said to the Member who asked the previous question, we can enhance the scheme so that people will want to become part of it. We can, therefore, increase the number of people who become eligible and take up the scheme, as was intended in the first place.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. The scheme has been very successful in my constituency. I commend the council for its work with the public on processing applications. Mr Newton asked the question that I intended to ask, but it is important to keep the scheme under review in order to ensure that those who are most in need get the most effective delivery.

**Mr Storey:** One question that is asked about the review is whether it will include an eligibility threshold. All regular household income, including DLA, is used to calculate a householder's income for the affordable warmth scheme. The personal independence payment (PIP) is not currently payable in Northern Ireland, but it will be soon with the passage of the welfare Bill. Consideration will have to be given to the treatment of PIP when the decision is reached regarding its introduction. However, my Department will review the affordable warmth scheme after one full year of operation, and we are coming close to that now. The review will include consideration of what is treated as income in order to qualify for the scheme, while maintaining a focus on those in the most severe fuel poverty.

We need to keep those people as our focus so that we get tangible outcomes.

### 3.15 pm

In the past, some of these schemes were looked upon just as a means of getting something, but it is about what the purpose of getting that something is. The purpose, in this instance, is to reduce fuel poverty and to enhance properties that have very poor insulation and, in some cases, no suitable heating arrangements.

As the Member knows, very rural areas, such as those in her constituency, have not benefited as a result of previous schemes. That is why we endeavoured to give this scheme a wider reach and took a thematic approach to the original information that informed it. All those things will be reconsidered as part of the review.

## Vulnerable Persons Relocation Scheme

5. **Mr Lunn** asked the Minister for Social Development for an update of his Department's work on the vulnerable persons relocation scheme for Syrian refugees. (AQO 9147/11-16)

**Mr Storey:** I thank the Member for his question on what is a very important issue. I ask that all Members give me and my Department, as well as the Office of the First and deputy First Minister, every assistance in dealing with the issue.

Work on the vulnerable persons relocation scheme is progressing well. My Department participates in the strategic planning group led by OFMDFM. A senior official from my Department leads an operational planning group made up of key stakeholders from central and local government and organisations in the voluntary sector that have expertise in supporting refugees.

Weekly meetings are taking place to draw up detailed plans for the arrival of the first group of refugees in Northern Ireland. All agencies involved are content that Northern Ireland will be ready for their expected arrival in December.

**Mr Lunn:** I thank the Minister for his answer. Have there been any discussions with OFMDFM about potential community relations problems? Is it the intention that the refugees should be clustered, if I may use that word, or dispersed across Northern Ireland?

**Mr Storey:** I thank the Member for his supplementary. The operational planning group, for which my Department is responsible, and OFMDFM are in ongoing discussions with a number of organisations. I am very aware of the challenges. I have to say that I have been disgusted by some comments that I have seen recently, particularly on social media. We are nearing Christmas, and the message of Christmas, of course, is the coming of the one who is the Prince of Peace with goodwill that we are called to extend to others in circumstances that none of us can comprehend. I had further discussions about the issue this morning and take a very personal interest. I believe that it is incumbent on us as an Executive, and as a community, to make our contribution to this national scheme and to keep as our focus the fact that we are dealing with real people who have real needs.

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

## Welfare Reform and Work Bill 2015

T1. **Mrs McKevitt** asked the Minister for Social Development, further to last Wednesday's legislative consent motion debate, to confirm what provisions in the Welfare Reform and Work Bill 2015 have been agreed in principle between Sinn Féin and the DUP or at least to confirm that he will fulfil the commitment that he made to Mr Attwood during the legislative consent motion (LCM) debate to provide him with the details in writing. (AQT 3171/11-16)

**Mr Storey:** I thank the Member for her question. She is absolutely correct: her party colleague Mr Attwood, who I have paid tribute to in this House during that debate and in previous debates, wrote to me, and I can confirm that I will



respond to him. Indeed, I have a copy of the response in front of me, and I will forward it to Mr Attwood later today.

The Member rightly raises the question of how we move this situation forward. There are some in this House who would have liked us to have failed, who would have liked us to be in a situation where we did not find a resolution to an issue that was causing real concern at the heart of these institutions. What happened last week with a Fresh Start was that it became a way for that new arrangement to be put in place to deal with this particular problem. As we can see from what is happening today in the House of Commons, progress is being made. I look forward to the successful conclusion of the debate on the Bill in the House of Commons and then reaching a point where work on the implementation can begin.

**Mrs McKevitt:** The Minister will respect that some Members of this House are concerned by elements of the deal, particularly around welfare. There will be a benefits freeze, and, over the next four years, inflation will also mean that households on benefits will see reduced moneys. Will that reduce significantly in real terms the amount of top-up award recommended by Eileen Evason?

**Mr Storey:** None of us would seek to underestimate how difficult this has been and how challenging it will be in the future. I accept that that is, in part, one reason why we have had an impasse over past months. I have given assurances to Members who have concerns, including the Member's colleague and party, on numerous occasions.

I believe that one issue missing from the introduction of welfare reform in England in particular was a coordinated implementation. Coordination in policy implementation was missing, but I still believe that the policy intent is right. We must ensure that welfare does not become something that people are just subjected to for the rest of their lives. We must ensure that they are not imprisoned in a welfare system. Unfortunately, there are those who, due to one set of circumstances or another, are highly unlikely to be able to get off benefits, so we have to ensure that the welfare net is there to protect them. However, it should not become a barrier that prevents people from making further advancement.

As to the roll out of the policy over the next months and years, I am determined, as whoever succeeds me must be, that it will be done in a way that keeps those people for whom the system was made at the heart of all that we seek to do. Will that be a challenge? Yes. Will that create difficulties along the way? Yes. However, as we have proved in the past, if we are presented with those difficulties and challenges, we are more than up to addressing them.

## Portrush: Redevelopment Update

T2. **Ms Sugden** asked the Minister for Social Development, after welcoming the announcement at the end of last week of investment of £1.5 million for Portstewart and telling him that he is welcome to come back to East Londonderry with an attitude like that, for an update from the ministerial subgroup on the redevelopment of the harbour, the relocation of the train station and the identification of a site for a new hotel just around the corner in Portrush. (AQT 3172/11-16)

**Mr Storey:** I thank the Member for her question. It seems that I am always welcome when I bring money, and I am not so welcome when the coffers are empty. However, I was delighted to be in Portstewart in the Member's constituency last week to announce a £1.5 million regeneration of the promenade there. I know that there are some Members of this House who probably spend more time on the promenade at Portstewart than in their own constituency and who will particularly welcome the enhancement of Portstewart.

When we go to Portrush, I think there are those who will welcome the fact that the announcement in relation to the Open Championship offers a major opportunity to ensure that there is sustainable development of the tourism product in Portrush and the north coast. It is my intention that a paper will be brought to the Executive very soon that will set out the programme of regeneration works for Portrush. The proposal for its delivery has been issued to my colleagues in the Executive. I want to ensure that Portrush is in the right place at the right time for taking advantage of the Open.

I also say to the Member that it is not just about Portrush. It is about the north coast and about Northern Ireland. Let us remember the huge influx of people there will be and the interest there will be in the most prestigious golf tournament that the world knows.

**Ms Sugden:** The Minister is always welcome to the prom for a Morelli's at any time. There is speculation around the Dunluce Centre site being a possible location for a hotel. Will the Minister confirm if that is an option he is considering?

**Mr Storey:** There is a piece of work that has been carried out, which I have just taken possession of, which sets out the potential options. The Member will be aware that there were some concerns by other hoteliers that something might come to Portrush that would in some way disadvantage them. I have now received that scoping exercise, which has been concluded. It states that Portrush would be able to accommodate a new four-star hotel and a boutique hotel. What I want to do now is have conversations with the council, local representatives and other hoteliers in the area, because I am equally conscious that competition is welcome in many cases. However, it has to be done in a way that is sensitive.

I greatly appreciate the contribution that many in the hotel and restaurant industry have made to the revitalisation of Portrush in recent times. I remember, going back not that many years ago, that Portrush was a place where you would not have felt very comfortable on a Saturday night because of the activities that went on late at night; but that image and that situation has changed completely, and Portrush has now become a vibrant local economy — a night economy that is growing. A key component of that will be the consideration of a new hotel as set out in the document.

**Mr Speaker:** Mr Adrian McQuillan is not in his place. I understand that his office was in touch, but was too late for the proper notification, but at least let me acknowledge that the contact was made.

## Royal Exchange Project

T4. **Mr Ó Muilleoir** asked the Minister for Social Development, following last week's announcement, to pledge that he will be the Minister to get the Royal Exchange project moving, given that he was in public office in 1995 when it first came on the scene, albeit that the Minister was probably at primary school, and, since then, it has not made the progress that was hoped — in fact, it has been an albatross around Belfast's neck. (AQT 3174/11-16)

**Mr Storey:** I thank the Member for his question. The Department did give careful consideration before terminating the Royal Exchange agreement with Leaside Investments Ltd, with our overriding aim to ensure that the north-east quarter of the city, including Royal Exchange, is developed for the maximum economic benefit for everyone. I can give the Member a personal commitment in the House today that I remain committed to transforming that part of the city, which has been in a state of disrepair for many years. I have asked my officials to explore how a statutory development scheme for the area can help establish an appropriate mix of uses. We will continue to work in partnership with stakeholders across the statutory, community, political and business sectors to make sure that we deliver the best scheme possible.

### 3.30 pm

I also say to the Member that that will include the city council. I have already had discussions with the city council because, as with Royal Exchange and other programmes that the council has — you know that it has set out its own plans for the future — it has to be done in consultation with the Department, the council and public representatives for the area. That is so that we can continue to build on the success that is our capital city and see progress made in a way that deals with areas that need to be addressed, such as Royal Exchange, as the Member rightly identified.

**Mr Ó Muilleoir:** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire. Thanks to the Minister for his answer. I particularly welcome the commitment to work in partnership with Belfast City Council, because I have been heartened by its investment plans to regenerate the city centre. Does the Minister also agree that Royal Exchange does not need to be a retail-led development? Retail will be a part of it, but we should also factor in the Ulster University, which is now in the city centre, and, of course, culture and arts.

**Mr Storey:** Yes, I agree. This is where both the council and the Department need to be innovative in the way that they sometimes look at situations. We get easily criticised for never doing enough, and questions have been asked in the House about other locations, such as why do we not do this in a certain way. We have to come to a sensible conclusion that sometimes we need to identify what is best for that area and how it ties in with all the other elements of what is going on around it. The Member is absolutely right to refer to the university that is now located in that area. The Cathedral Quarter is not far away. Those are among the various elements that make up a very attractive and what has become a vibrant part of the city. This could add to that, and there is no guarantee that we will say that

this should be retail only. It has to be a mix in a way that provides for that area.

## Advice Sector: Additional Resources

T5. **Ms Ruane** asked the Minister for Social Development what additional resources he intends to provide to the advice sector for the remainder of this mandate. (AQT 3175/11-16)

**Mr Storey:** Since coming into office, we have, first of all, endeavoured as best we can to protect the budget that the advice sector has had. I value very much the way in which my Department and I depend on the advice sector to give people advice in an independent way that is apart from government. For example, in relation to mortgage advice, we increased the budget by something like 50% because we felt that, given the particular challenges to families and people struggling with their mortgage, it was vital that early intervention, information and mortgage advice were made available.

In terms of other advice, the Member will be aware, having been a Minister herself, that at this time of the year we all start to look to our budgets for next year. We have the comprehensive spending review, about which we will undoubtedly be given more detail on Wednesday in the House of Commons. I have to take into consideration all of those challenges. I say to the Member that I value the independent advice sector and the work that it does. We have endeavoured to ensure that that is reflected in the money that we give to it.

**Mr Speaker:** I am sorry; there is not time for a supplementary. That brings us to the end of Question Time. Thank you very much, Minister.

**Ms Ruane:** On a point of order, Mr Speaker. In the first part of Question Time, when junior Minister Ms Pengelly was answering some questions, she referred to the Office of the First Minister and deputy First Minister just as "Office of First Minister". I think that this House will be aware that no such office exists; it is a joint office and its full title is OFMDFM. I understand that it was Ms Pengelly's first Question Time. That said, she has worked at some level in that office for a significant time. Will the Speaker make sure that this does not happen again?

**Mr Speaker:** The Member has the matter now well and truly on the record. What we will do is observe this situation.

I believe and hope that we are moving beyond the point of people being petty. The fact is that, if people know the proper title of the office, it should be adhered to. In the particular circumstances, I do not feel that there is any need for me to take the matter any further.

I ask Members to take their ease while we change the top Table.

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

## Committee Business

### European Social Fund

*Debate resumed on motion:*

*That this Assembly acknowledges the important role of the European social fund in delivering essential support and services to the most vulnerable people in Northern Ireland; recognises the challenges faced by the community and voluntary sectors in the administration of the current and previous programmes; and calls on the Department for Employment and Learning to learn from its mistakes and to ensure that it works in partnership with the community and voluntary sector to deliver, efficiently and effectively, the European social fund programme.*  
— [Mr Swann (The Chairperson of the Committee for Employment and Learning).]

**Mr Buchanan (The Deputy Chairperson of the Committee for Employment and Learning):** In winding on the motion, I thank everyone for their contributions.

It is fair to say that no one in the Chamber is in any doubt about the importance and value of the European social fund (ESF) in providing assistance to communities and organisations as they have sought to provide programmes across all our constituencies aimed at increasing the skills levels in the workforce and reducing economic inactivity. However, as the Chairman of the Committee, Mr Swann, mentioned, the ending of the 2007-2013 programme and the commencement of the 2014-2020 programme has caused many difficulties for the community and voluntary sector. Indeed, many groups found themselves in a dire financial position and uncertain of the way forward owing to the Department's delay in payment of invoices and the lack of clarity, the confusion and the inconsistencies around the incoming programme. That is why, in his opening remarks, the Chairman reflected on the issue's importance to the Committee, in that it met with departmental officials and the Minister on 14 separate occasions in the past two years, and, in turn, the Minister acknowledged the influence that the Committee had on his Department in seeking to address some of the concerns.

At this juncture, I want to thank the Minister. I know that he has got a bit of a bashing in the Chamber today, but, whenever things were difficult, the Minister always came to the Committee, gave us an update on the situation at that moment and took the hard questions. We have to acknowledge that and give credit where it is due. However, the Department still has to learn from the mistakes and put in place mechanisms that will deal with the situation so that it does not happen again. The community and voluntary sector delivers excellent work, and we cannot have it struggling for cash and for clarity on the way forward simply because of a fault in the Department.

In reflecting on what the Members who contributed to the debate said, I note that the Chair talked about the slow process of vouching for the current programme and urged the Minister to reflect on that. The Chair also spoke about the requirement for tutors under the programme to receive a qualification from the Ulster University (UU) and expressed some concern about that. He also talked about

the two judicial reviews and asked where they were at at the moment. When the Minister responded, I noted that he did not give an answer to that. A number of contributors talked about the 50% of funding up front, but, again, there are questions around that: is it short-term funding or is it for the duration of the programme? I would like clarification from the Minister on that.

My colleague Sydney Anderson highlighted the dependence that the community and voluntary sector has on the funding and how it felt a sense of injustice at the Department's handling of the situation. However, he did acknowledge the additional resources being used by the Department to administer the fund and questioned whether accredited training programmes had been delivered for staff.

The Minister mentioned at the Committee that accredited training programmes would be delivered for staff but, again, we are none the wiser on whether that has happened yet.

**Dr Farry (The Minister for Employment and Learning):** Will the Member give way?

**Mr Buchanan:** Yes.

**Dr Farry:** I apologise for missing some of the issues. The accelerated payments will be temporary, pending the stabilisation of the situation. We will keep that under review; it is not meant to be the permanent situation and the improvements in processes should lead to efficient payments being the norm in the very near future.

With respect to the judicial reviews, given that they are sub judice, I cannot give a detailed answer, but all will emerge in due course.

**Mr Buchanan:** I thank the Minister for that. He missed the bit about the 50% funding up front and whether that was for the short term or the duration of the programme.

**Dr Farry:** I thank the Member for giving way. That is what I was trying to say. It will be a temporary measure, pending the stabilisation of the payment structures. We will keep it under review but it is not meant to be the permanent situation.

**Mr Buchanan:** I thank the Minister for the clarity on that issue.

Ms McGahan spoke of the role of the women's centres and the important work that they carry out, highlighting their reliance on ESF and the impact that their work has on childcare places in rural areas. She also called on the Department to remove the qualifications gap for participants on the ESF programme.

Mr Maginness quite rightly focused on the difficulties in the application process but he also took time to reflect on the excellent work carried out under the ESF programme. He highlighted the Kickstart to Work programme in the north-west, which is delivered by both councils, and the good partnership approach that it demonstrates. He also drew attention to the slow payment of funds from the closing programme. Almost every Member spoke about the difficulty with the slow process of delivering funds to the community groups.

Ms Lo spoke of the success stories and some of the good work that has been done. She also mentioned the pressures on the Department, noting the competitive nature of the programme, and spoke of her personal

knowledge of GEMS NI and the difficulties that it has faced. She noted the Department's willingness to change, acknowledged that the process had seen a number of problems, creating cash-flow problems for organisations, and said that the Minister had acknowledged the frustrations. Acknowledging frustrations is one thing but doing something to address them is another. We need to see action to address the situation that groups find themselves in.

Mr Easton spoke of the range of projects funded under the ESF and reiterated the impact that there has been on communities where groups have failed to gain funding. He highlighted that that impacted on jobs and agreed with Mr Anderson that communication from the Department had failed. He called on the Minister to apologise for that and other failures in the process. He also said that those problems had damaged the Department.

Mr McCann highlighted the many hurdles that groups had to get over to receive the funding. He also highlighted the confusion that surrounded the application process and the failure of the Department to learn from good practice elsewhere. That is a very important point. Why did the Department not look to other Departments for good practice and take a cue from them to try to get over the problem?

Mr Weir spoke of his experience of the community and voluntary sector and highlighted the women's sector for its excellent work. He reiterated the many problems in the application process and spoke of the lack of understanding of the sector in the Department. He drew further attention to the impact on groups and individuals of a failed process. Again, the same message is coming through, and I hope that the Minister and the Department are getting the message that there is a failed process that has caused huge problems across the community and voluntary sector.

Mr Flanagan welcomed the Minister's willingness to rectify the problems in the process but drew attention to the problems in rural communities and said that they were adversely affected by the process. He argued that the delivery of the programmes through a competitive tendering process, rather than directly by DEL, had resulted in a widening of the gap in delivery between urban and rural areas.

Ms Sugden spoke of her concerns about the amount of money owed to groups from the programme. She highlighted changes in the contract arrangements for funders and questioned the legality of that. She requested that the Minister look at the new programme and take responsibility for the shortfalls.

### 3.45 pm

The Minister acknowledged the administration problems in the process. In mitigation, he spoke of the tight timescales for the process; he also spoke about the competitive nature of the programme and said that it exists for the benefit not of the voluntary and community sector but of the individuals whom it works with. I welcome the Minister's continued engagement in the matter, his continued endeavours to minimise the concerns of Members and the Committee, and his intentions to have the outgoing programme closed by the end of this year. That is very welcome indeed.

I am sure that everyone will agree that this has been a successful and positive debate on a very important issue.

Once again, I thank Members for their contributions and the Minister for his response and clarity during the process. I support the motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly acknowledges the important role of the European social fund in delivering essential support and services to the most vulnerable people in Northern Ireland; recognises the challenges faced by the community and voluntary sectors in the administration of the current and previous programmes; and calls on the Department for Employment and Learning to learn from its mistakes and to ensure that it works in partnership with the community and voluntary sector to deliver, efficiently and effectively, the European social fund programme.*



## MLAs: Reduction in Number

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

**Mr Dickson:** I beg to move

*That this Assembly notes that the Stormont House Agreement contains a deadline to reduce the number of MLAs from 108 to 90 by 2021 and the number of Executive Departments in time for the 2016 Assembly term; believes that there is an opportunity to reform the size of the Assembly and the number of Executive Departments to the same timescale; and calls on the Executive to ensure any legislation will see that the reduction in the number of MLAs takes places in time for the 2016 elections.*

The context of this motion has changed little since the emergence of the so-called Fresh Start deal last week; the fundamental thrust of the motion remains the same. Without doubt, there will be many opportunities to discuss the wider 'Fresh Start' document as a whole and the individual components in it, but the motion that I bring forward today discusses the size of the Assembly. The former Stormont House Agreement committed the Assembly to a reduction in the number of MLAs per constituency from six to five by 2021. Of course, that does not preclude it from happening earlier.

Before and after, some political parties, including mine, advocated that it should occur earlier, particularly taking effect for the May 2016 Assembly elections. However, we now have a situation where the reduction in the number of MLAs is to take effect immediately after the 2016 election. While that might mean at the next scheduled election in 2021, it could also apply to any election called earlier — indeed, to one called as early as the end of June 2016 in the context of the inability to form an Executive after the 2016 election. That strikes me as a case of, "Oh Lord, make me holy, but not just yet".

The principle that the Assembly is too large and needs to be reduced in size has been accepted and is won; there is no debate over that argument any longer. However, what is the reason for delaying its implementation? I can only presume that it is party-political self-interest rather than the public good. There are, quite simply, no good reasons for delay. It is notable that the Executive are set to proceed with the reduction of Departments with effect from the start of the new mandate. That, of course, is the right thing to do.

However, this process is a significantly more complicated task than a reduction in the number of MLAs. For example, it will involve primary legislation in the Assembly and, in turn, a transfer of functions order. Behind the scenes, a huge amount of work is being conducted by civil servants on the practical issues of finance, human resources, managing the estate and internal restructuring.

By contrast to reducing the number of Departments, reducing the number of MLAs per constituency from six to five only requires passing a simple piece of legislation. Indeed, the Assembly Members (Reduction of Numbers) Bill is annexed to the 'Fresh Start' document. Applying this reduction to the May 2016 election requires only one small

change to one clause. While it is important to recognise that anything other than a reduction from six to five Members would involve more complicated legislation at Westminster, including amendment to the Northern Ireland Act 1998, this option for a particular change from six to five per constituency has been given to the Assembly. There is also no practical difficulty in implementation. Reduction in time for the election in May would not cause any difficulty to the Electoral Office or indeed the Electoral Commission. Quite simply, the request is to elect five rather than six Members per constituency. There is no need for any transitional arrangements or phasing arrangements.

Some Members may point to a forthcoming review of parliamentary constituencies and, by extension, Assembly constituencies during the lifetime of this mandate of the Westminster Parliament. There is a suggestion that the number of Northern Ireland constituencies might fall from 18 to 16. However, the legislation on the reduction of MLAs is future-proofed. It will apply in just the same way if there are 18 or 16 parliamentary constituencies. The only difference would be having 90 MLAs or 80 MLAs.

The rationale for this reduction is clear and strong. Northern Ireland is overgoverned. We have substantially more MLAs per head than both Scotland and Wales and overwhelmingly more than the United Kingdom Parliament. Quite simply, the figures speak for themselves. The people of Scotland have one MSP per 40,300 people. The Welsh have one Assembly Member per 51,000 people. Westminster MPs represent, on average, 98,000 people. By stark comparison, our 108 Assembly Members represent 16,800 constituents each. In addition, we have 460 district councillors in Northern Ireland and 18 MPs. That really does suggest that we are overgoverned. If we were to apply Scotland or Wales's ratios to this Assembly, we would have 44 or 35 MLAs respectively. What is being proposed today is nowhere near that reduction, but it is, in my view and that of the Alliance Party, a step in the right direction.

The experience of both Scotland and Wales shows that somewhat smaller Assemblies do not undermine good governance. They have sufficient Members to provide for effective scrutiny and to people their Committee systems, allowing for proper accountability. Especially in the context of fewer Departments, no one can credibly maintain that we would not have more than enough MLAs to function.

An Assembly of 108 MLAs is also out of context with Northern Ireland's recent past of previous devolved structures. Since the dissolution of the old Stormont House of Commons, we have seen the following bodies with these numbers of Members. Sunningdale set up an Assembly of 78 Members. The Assembly of rolling devolution in the early 1980s contained the same number of seats. The Northern Ireland Forum contained 110, but that was a very different attempt to be inclusive. It seems we have held to this for over 20 years and in the foundations of the agreement that was reached to set up this Assembly.

Six multi-Member constituencies are also an anomaly in terms of the single transferable vote in other jurisdictions. The Republic of Ireland has historically tended to have three-, four- or five-Member constituencies.

More locally, we have seen the trend to move away from large multi-member DEAs, and our recent local

government elections saw a large number of five-member DEAs. Even within a divided society such as Northern Ireland, six-Member constituencies are more than is required for strong proportionality outcomes. I have read comments on how smaller parties might perform in five-Member constituencies. Based on the last electoral outcome, it would be little different from where they are today. Frankly, PR looks after small parties.

The Alliance Party is concerned about the implications of dropping to below five Members per constituency, but we do not believe that a move to five-Member constituencies would radically alter outcomes. Indeed, we tabled today's motion as the fifth-largest party in the Assembly. Some might suggest that a reduction would be a bigger risk to us than to any of the four parties that are currently larger than us. However, we are convinced that it is quite simply the right thing to do. Over the next five years, the reduction would also save around £11 million. While that seems relatively modest in the grand scheme of things, every little helps. Like most Members, I could readily produce a list of matters on which we could spend the money.

The wider point is leadership. Many people are already suffering as a consequence of public spending cuts, and we know that many public servants have had their pay and conditions restricted. In that context, I believe that it is critical that the Assembly is seen to show leadership in reducing its own costs. Ultimately, people will simply not understand the political parties that think that it would be a good idea to have this change in place after the next Assembly election but do not think that it is good enough to have it in place in time for the coming Assembly election. The burden of proof lies on those who are arguing for delay, which is why something should happen now.

**Mr Weir:** In my contribution, I will try to avoid straying into the area of holier than thou, because others in the Chamber may have a certain monopoly on holiness on these issues. While it is perfectly within the rights of any party to select whatever motion they want — I certainly defend their right to do that, irrespective of the subject — I was somewhat bemused to see this motion. Had it not been for complications with the timescale, the debate on the motion could have happened last week or the week before. Why am I bemused? First, the issue was largely settled in the Stormont House Agreement, and, secondly, it was a key subject matter in the current round of talks. It was raised on numerous occasions and was directly on the agenda and raised by the Secretary of State as a topic to which all parties were available. One feels that the right place for a debate and a resolution was in the talks process. It would have been a little bit strange had the issue, which is germane to the talks process, hit the original timetable, been introduced in the middle of the talks process and debated on the Floor.

I take the proposer's moral high ground with a pinch of salt. We are told that the Alliance Party is happy enough with five-Member constituencies. One may come to the conclusion that five Members in the current boundaries may suit the Alliance Party, but it would be a dreadful attack on democracy if we were to move to a four-seater, even though the proposer indicated that three- and four-seaters were commonplace elsewhere. The cynic in me might suggest that the Alliance Party is grandstanding slightly on the issues that it feels might be numerically to its advantage.

I welcome the fact that there has been some consensus about the size of the Assembly and five-Member constituencies. We have advocated that as a party for a long time. We indicated that the contents of the Stormont House Agreement were a compromise between all parties, as was 'A Fresh Start'. At the time of the Stormont House Agreement, we felt that it should be four-Member constituencies. We believed that what existed was going too far, but we accepted the compromise. From that perspective, as I said, we took what was at Stormont House, and we now have legislation that is being proposed via 'A Fresh Start'. Rather than simply tabling a motion, we committed ourselves directly to legislation.

Unlike some of the Members opposite, we are walking the walk, rather than simply talking the talk.

**4.00 pm**

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

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

**Mr Dickson:** I appreciate what the Member is saying and genuinely appreciate his saying that legislation will be brought forward. Therefore, the issue is not the bringing forward of legislation. We are all on common ground on that and, I think, when it comes to the numbers. The question is quite simply this: why not do it now?

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

**Mr Weir:** The principal reason is probably twofold. Boundary changes have been mentioned. In the spirit in which we adopted the changes to the departmental structures, there was at one stage — I am sure that the recently departed Mr Farry would acknowledge that perhaps we would not have had the same debate had this happened earlier — a midterm proposal to abolish DEL. The feeling was that we needed to come up with a system to which there was no particular emotional attachment or, indeed, party advantage or attachment. The position now is that we will face a review by the Boundary Commission, which is uncertain about the number of seats that there will be. There is no advantage or disadvantage to any party in the Chamber from facing the Boundary Commission because no one knows whether the outcome will suit any particular party. I suspect that, as tends to be the case in these things, there will be swings and roundabouts: in some areas, it will benefit you; in other areas, it will not.

It strikes us that the appropriate and best time to do that is when we can take what would be two changes — the reduction from six seats to five and the potential change to the number of parliamentary constituencies, which may yet be effected by way of change to the electoral register in England —

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

**Mr Weir:** No: I have given way once and have only a short time.

It is said that the most dangerous thing is to try to leap a chasm in two leaps. We are committed to our position. Our belief is that it makes sense that, if we are going to make changes, we should make them at the same time, and they would, therefore, take effect from the election after next. By then, the Boundary Commission will have put in place its review, and we will all take our chances

with it. Above all, irrespective of the arguments about a particular set of numbers, is the fact that in 'A Fresh Start', we made an agreement — I appreciate that it does not bind the Members who tabled the motion — to try to take things forward for all the people of Northern Ireland, as we did with the Stormont House Agreement that involved compromises for everybody, and we did not necessarily get what we wanted. We will be a party of integrity. We will stick to what we have signed up to in 'A Fresh Start'. The motion runs contrary to what is in that agreement.

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

**Mr Weir:** We will, therefore, oppose the motion.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in the debate on a reduction in the number of MLAs; a reduction in the number of Departments; and the timescale in which all that takes place. Before dealing with those issues, it is important to caution Members not to major too heavily on quantitative comparisons between the Assembly and the other devolved institutions on these islands. None of those institutions faces the same difficulties as we do here. None of them was established as a response to 30 years of conflict and the serious fault lines and divisions in society that we have here in the North. That is the context.

Sinn Féin has a relaxed view on the number of Departments. If governance could be enhanced, duplication eradicated, bureaucracy reduced and savings increased by reducing the number of Departments from 12 to nine, it would be difficult to argue against. It is not just the voters who want more streamlined cost-effective government; we also want that. Every Member of the Assembly should welcome any change that brings more efficiency and effectiveness. We also agree that the number of MLAs should be reduced from 108 to 90. That means that there would be five MLAs in each constituency instead of the current six, notwithstanding any Boundary Commission changes.

We depart from the proposers of the motion on when the reduction takes place. The proposers would have it take place before the 2016 Assembly elections. We disagree, and let me explain why. It is important to give context to the current number of MLAs.

One of the criteria that the architects of these institutions were given when they were designing them was that they should be as representative and as inclusive as possible. That is still probably the most important concept for building and sustaining confidence in the institutions. The worry, therefore, is that fewer MLAs would lead to a deficit in representation and inclusiveness.

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

**Mr Sheehan:** Yes.

**Mr Dickson:** I understand what the Member says with regard to confidence in the institutions, but they have been here for some 20 years. Would you not share with me a great deal of disappointment and frustration that you and others have failed to build that confidence?

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

**Mr Sheehan:** I wonder whether the Member includes himself when he says, "and others".

The fears that I have are assuaged to some extent by the reform of public administration, whereby more powers have been given to councils and d'Hondt is run over a four-year period rather than over one year, which happened previously. That is welcome, and it enhances the principle of equality. However, there are still some councils in which the concept of equality has yet to be fully implemented.

In the Assembly, the question is whether a reduction in the number of MLAs would have a negative impact on representation or equality. There is, for example, a danger that some constituencies will be left without a nationalist representative in some cases or a unionist representative in others. I suppose that the Alliance Party might not worry about that, but it might also have an impact on that party. More worryingly, research shows that the number and percentage of female representatives will fall if the overall number of MLAs is reduced for the 2016 election. That would be a retrograde result for the Assembly and for inclusiveness and equality. By postponing the overall reduction until 2021, we will give all parties a chance to prepare for that possibility and to ensure equality of opportunity for women in particular in those parties. Sinn Féin, obviously, takes its responsibilities on the issue very seriously; we try to promote women as much as possible in the party. My colleague Caitríona Ruane will deal with that in her contribution to the debate later. It would be the wrong message entirely for the Assembly to send out if, after the 2016 election, there were to be fewer female representatives than there are now. For that reason, I oppose the motion.

**Mr Attwood:** A number of contributors have already referred to Stormont House. While there remains a dispute about what was or was not agreed there, one matter that was born in Stormont House and was then settled in the discussions afterwards, was how we would manage the issue of the reduction in the number of MLAs. Given that it was a settled matter — you can hear echoes of that in the contributions made by the DUP and Sinn Féin — it should remain a settled matter rather than be revisited on the far side of this motion.

The Assembly institutions and the Executive and their conduct need reform. That is why, light-touch though some of it may be, in March the Executive agreed to mechanisms to ensure that three Ministers would have more authority around the Executive table. That is why some moderate proposals have been made in respect of how to manage a petition of concern and so on and so forth, including the number of Departments. That is all necessary and healthy. Any institution, be it an elected one or any other organisation, that is going to ensure that it lives up to best practice and serves those whom it seeks to serve needs to keep under constant interrogation and analysis the way in which it conducts its affairs, including its internal operations. That is why we in the SDLP believe that there should be more reform of how the Chamber conducts its affairs.

I will take one moment to give an example. This afternoon, the House of Commons will have a very short number of hours to accelerate through the Welfare Reform Bill that was part and parcel of the legislative consent motion (LCM) last week. That will have an enormous impact on our people, independent of the enormous impact on our people that will arise from London legislating for whatever it is that has or has not been agreed in principle in respect

of the Welfare Reform and Work Bill that is currently in Westminster. That is why the SDLP returns to its proposal to have a dedicated welfare reform Committee as part and parcel of the life of these institutions to interrogate how welfare is or is not working in law and practice, not least now, because we have abandoned and surrendered to London our responsibility on those matters up to the end of 2016. The party will write to the authorities in the Chamber and in the Assembly to urge the creation of a welfare reform Committee both as an example of reform and to mitigate what might be coming down the road because of the impact of the LCM. For all those reasons, we welcome the issue of reform, but we think that the motion is overreaching, given that this is a settled matter.

I join Mr Weir and Mr Sheehan in emphasising some of the reasons why, whilst we need to move in the direction of a reduction to five Members per constituency by 2021, this is not the time and place to do so. It seems to me that the proposer gave technical reasons that did not address the points made, especially those made by Mr Sheehan. It is a little-known fact that, when the SDLP had a bigger role in the Assembly through our electoral mandate, it was the SDLP that insisted on the number of Ministers that we will have up until 2016. That was the call made by Seamus Mallon and the SDLP. Why? It was because we wanted to have maximum ownership of and inclusion in the institutions in a situation where exclusion had been part of the culture and practice of some when it came to the conduct of politics and government in Northern Ireland. Therefore, to maintain the principle of inclusion, even though some might have argued that it did not serve the interests of the bigger parties, one of the bigger parties at that stage made that argument, and that argument continues.

Why does that argument continue? It is because last week, as the Alliance Party understands better than anybody, we had a two-party deal that was not respectful of the principle of inclusion. It advertised why we continue to need to have principles of inclusion in the spirit that Mr Sheehan outlined, when it comes to the conduct of politics and government in Northern Ireland. We may have moved a long way from the past. We may be slowly moving, although some would doubt it —

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

**Mr Attwood:** — towards an even better future than we have had over the last 20 years, but at the heart of it is inclusion. This is not the time to move in the direction of the Alliance motion, because, in our view, not least because of last week, it sits in conflict with that spirit.

**Mr Kennedy:** I am grateful for the opportunity to speak on the motion. Like others, I am not sure why Alliance has tabled the motion. Clearly, it has been overtaken by events. In my view, this is a dead parrot. This is not a parrot that is pining for the fjords; this parrot is dead. One of the reasons why it appears to be dead is that, as seemed to be confirmed, even the Stormont House Agreement has been superseded by the Sinn Féin/DUP so-called Fresh Start.

It might be useful for the wider public to have a refresher on the number of Stormont agreements that we have had. Of course, we all started off with the Haass talks, and they were at the Stormont Hotel. We moved from there to Stormont House, and then we had Stormont Castle,

and now we are back to Stormont and Fresh Start. It appears to me that perhaps we should have the Stormont Portakabin agreement, because that, at least, will deal with temporary structures.

The post-2016 arrangement on the reduction of MLAs was part of the Stormont House Agreement of Christmas 2014, which the Alliance Party signed up to, unless it knows something more than the rest of us and which we have not yet heard.

#### 4.15 pm

Let me also say that the Ulster Unionist Party supports moves to reduce the costs of the Northern Ireland Assembly and the Executive. We want to see better governance in Northern Ireland, because what has been served up since 2007 could in no way be described as better governance. This is meant to be a legislative Assembly but, only last week, powers were sent back to London so that this place did not have to take any difficult decisions. It is no wonder that the public may, indeed, look at this House with some disdain, because if there are apparently any difficult decisions to be taken, Sinn Féin and the DUP offload them to somebody else. Sinn Féin sends powers back to London without even blushing now. First, it entered Stormont, a devolved Assembly in the United Kingdom — which, of course, I very much welcome — and now it is sending back powers to London.

Of course, in terms of saving money, only weeks ago, Sinn Féin and the DUP voted against reducing the number of special advisers and capping their pay. The more things change, the more they stay the same. That is despite OFMDFM, or the Executive Office as it will be known, losing 16 areas of responsibility. There are obviously quite a few types of protected species in this House.

We want to see savings made across the board, including a reduction in the number of MLAs, but that should be done as part of a complete package of measures, not in the slapdash manner that has so characterised the Northern Ireland Executive.

**Mr Dickson:** I thank the Member for giving way. I appreciate that it has to be part of a detailed package of measures, and whatever one may think of Fresh Start, it will actually deliver a piece of legislation to the House on which Members will have the opportunity to vote — that is legislation. However, the legislation will promote voting for a reduction in the size of the Assembly in 2021. Will the Member not join me in seeking to have that legislation amended to make it 2016? Perhaps he is the biggest dead parrot in this establishment, having been killed off by his party leader.

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

**Mr Kennedy:** Let me reassure the Member: this party is not afraid of any election. We have already heard the reasons clearly outlined for why your party could not support a reduction to four Members per constituency, because that would effectively cull the Alliance Party, but anyway. We will ignore that.

As I said, we want to see a complete package of reform. I have to say that Alliance is advocating change on an agreement that, apparently, it does not support and on which the ink is not yet dry. We can see that the ink is not



dry even in the response of the leader of Sinn Féin on Belfast City Council, who seems to be concerned about the early implementation of and commitment to corporation tax. Let us see where this latest agreement takes us.

We also need to see what protections will be in place for some of the smaller parties, such as those represented by single MLAs. Of course, at the same time, we cannot ignore the hypocrisy of the Alliance Party because, remember, it takes two Ministries despite having only enough electoral support for one. We will wait to see whether the Alliance Party wants to do anything about that. I have heard senior members of the Alliance Party say that it has two Ministries because of its electoral support; that is not correct. It has been granted, effectively, a second Ministry primarily by Sinn Féin and the DUP, which corrupts what the Alliance Party agreed in the Belfast Agreement.

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

**Mr Kennedy:** So, for all those reasons, the Ulster Unionist Party will oppose the motion today.

**Ms Ruane:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an díospóireacht seo. Cuirim fáilte roimh chomhaontú na seachtaine seo caite. Tá sé thar am go mbeidh muid ag déanamh dul chun cinn leis an obair a chaithfidh muid a dhéanamh.

I welcome the debate. Unlike some others in the Chamber, I welcome the agreement that we had last week. All our constituents want to see us moving forward and getting on with the work.

I thank the Alliance Party for tabling the motion. It has received some criticism about the timing. I do not share that criticism, because it brought forward the motion before an agreement was reached. Therefore, to be fair to my colleagues in the Alliance Party, I suppose that they could call it helping set the agenda.

My colleague Pat Sheehan spoke about what was agreed on reducing the number of Departments and on reducing the number of MLAs from six to five. I share the view expressed by him and others, including Alex Attwood, in their comments on the context that we are coming out of here; that is, the context of conflict, lack of representation, and the Civil Service and direct rule Ministers running the North of Ireland. I and my party believe that it was very important to have the broadest possible representation.

In my constituency, which is seen as a majority nationalist constituency, we have two Sinn Féin Members, two SDLP Members, one UUP Member and one DUP Member. If we had changed the rules, that would not be the case. I think that it is in all my constituents' —

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

**Ms Ruane:** I will.

**Mr Dickson:** I hear what she says about the make-up of her constituency. If we change the number of Members, that is called democracy.

**Ms Ruane:** Absolutely. There are many different ways of having democracy. Mr Dickson cited Westminster as if it were democratic. If you look at the critique of the first-past-the-post system, it is fundamentally undemocratic.

Therefore, it is not useful to use it as an argument against us here.

**Mr Nesbitt:** I thank the Member for giving way. I am sure that she knows her constituency better than I do, and I do not want her to embarrass herself, but there has not been an Ulster Unionist MLA in her constituency for some time.

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

**Ms Ruane:** Gabh mo leithscéal. We have somebody representing the unionist community — John McCallister — whom I have tremendous respect for in our constituency and who does tremendous work. He began as an Ulster Unionist, and now he is still representing people from the unionist community, despite the fact that Mr Nesbitt might have difficulties with that.

We have an RPA for local councils, policing, health and education. I welcome that. We are at least beginning to change the undemocratic deficit that we had before.

People spoke about gender. Members right across the political spectrum — I see members of the Assembly and Executive Review Committee here — will know about the low number of women that we have in the Assembly. It is absolutely disgraceful. If we do not do something about that in all parties, we are ensuring that we are not representing our constituencies adequately.

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

**Ms Ruane:** I have already taken two interventions, Chris, and one was from your party, so if you do not mind.

What I would like to see is a much more representative House, with many more women in it. In bringing about the changes that we are bringing about, I am aware that reports have shown that there are potential dangers to women. The challenge that I am throwing out here to every single one of us is that we need to say to our parties that they need to put women into winnable seats. Otherwise, we will come back here in 2021 worse than we are now, and where we are now is nothing short of disgraceful. That is why we have an Assembly and Executive Review Committee report, and a very good report it is. However, Sinn Féin is the only party that supports quotas. If we are really to change things, I argue that we need quotas. That is why I am going to argue here that I do not think that 2016 is the time to make the changes, because I do not want to see unrepresentativeness. It will only create even more difficulties down the line.

The other point that I will make is that I have represented my party as part of various delegations and have met delegations that come here from conflict areas. As someone who has worked in deep conflict areas throughout the world, such as Nicaragua, El Salvador and South Africa, during very difficult times, I know that there are people in those areas who would love to see the process that we have.

I argue that we should not take for granted where we are now. Look at our world today. Look at the difficulties that we are encountering. It is important that we put resources into ensuring that we are democratic and representative. For that reason I argue that we should wait for another few years. I welcome the agreement. Let us put it in place now, but let us also make sure that each one of us is proactive in ensuring that we have more women on the ticket.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Beidh mé ag labhairt in aghaidh an rúin. Like my two party colleagues, I am unable to support the motion. Our only issue with the motion is the timeline proposed, which is the election of 2016. When Mr Dickson was introducing it, he said, “Oh Lord, make me holy, but not just yet”. In that spirit, I think that it is, “Lord, don’t make me holy, but we’re maybe a week too late”.

We have already seen the settled will coming out of the talks that 2021 is a realistic proposition to change the number of MLAs. That will bring a degree of certainty. From some of the comments today, it is obvious that, whether or not we reduce the number of MLAs, the 2016 election campaign has certainly kicked off. People are up and ready and fighting that election in the Chamber this afternoon. Throughout the discussions at the AERC, we were never opposed in principle to the idea of reducing the number of MLAs. We always argued that it should come at an appropriate time in the history of the Assembly.

There is absolutely no doubt — Stewart Dickson talked about it — that there is an admirable cost-saving aspect to this, and we should always be mindful of that in the current climate. However, for us there is always — Pat Sheehan, in particular, outlined this — the issue of representation and, indeed, under-representation. We have to protect ourselves against that given our recent and, indeed, distant history of under-representation and misrepresentation. Despite the claim of democratic structures and “Let the people decide” etc, under-representation was always a feature. I do not think that anybody would disagree with that nod of the head. There was a degree of misrepresentation. Indeed, Alex Attwood brought a context to that when he spoke.

All you have to do is look at the 2011 election results and see who took the sixth seat. You can never rerun an election by reconfiguring the figures for five Members, but it is a broad enough sheet to have a look at. You can see who was elected sixth and what that would mean in terms of representation. We have now come to an agreement, but we should be very serious about that representation. Pat Sheehan talked about how the RPA had brought in a layer of representation that was never present before. That was hard argued-for and hard won and then delivered by the Assembly. I cannot predict the outcome of the 2016 or 2021 election, but it is fair to say that people who have been good voices in the Assembly will perhaps be missing as a result.

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

**Mr McCartney:** Go ahead, yes.

**Mr Dickson:** It is a question of simple practicalities. Does the Member agree with me that, even if we pass the legislation that is contained in ‘A Fresh Start’, which requires the election of five Members per constituency from 2021, if these institutions meet a brick wall the day after the 2016 election and we cannot form an Executive, a further election will be held and that will be to five-Member constituencies?

**Mr McCartney:** I suppose that, now that you have brought that to people’s attention, there may be mitigation. Let us be optimistic and assume that all the parties here will want to represent the people out there, there will be a Programme for Government and we will proceed.

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

**Mr McCartney:** Yes.

**Mr Weir:** Does the Member agree with me that, if directly after the election in May 2016 we have to have another Assembly within a month, we will have a lot more to worry about than whether there are five seats or six seats?

4.30 pm

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

**Mr McCartney:** That is a point well made.

I want to make the following point quickly, as I am conscious of time. One of the striking things about the sixth seat — Caitríona Ruane has already said it — is that women will suffer adversely. I have literally only 20 seconds to make that point, and we should not take that step without having some sort of sense. I have an extra minute. My apologies. Thanks, Claire Hanna. I looked up there and she gave me a puzzled look. Thank you very much. It is important that we feel that it is the appropriate time to do what we are doing. We have now signalled that we have five years, but in those five years we have to look at the idea that voices will be missing and, in particular, at the under-representation of women.

The recent inquiry by the Assembly and Executive Review Committee pointed out steps that could be taken. There is no doubt that there is reluctance by some parties in relation to quotas, and I am not making a party political point. Other institutions and democracies thrive when they introduce quotas. Sometimes, people here can have a narrow view of what democracy means. They look for a simple, single example of democracy and think that anything that goes against it is an attack on democratic structures.

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

**Mr McCartney:** Other thriving democracies have introduced quotas. We must ensure that we do not face 2021 accused of being under-representative.

**Mr Agnew:** The first question that we each should ask ourselves is what makes good governance. My party’s position has consistently been that we can reduce the number of MLAs but it must go alongside a reduction in the number of Departments. I know that has been agreed in principle, but we have yet to see it realised. That is to ensure that we have enough MLAs to do the job. We already have Members sitting on two or three Committees; if we reduced the number of MLAs without concurrently reducing the number of Departments, that would undermine our ability as MLAs to carry out the important function of challenging Departments through the Committees. I support a reduction in the number of MLAs, although I am not so exercised by whether it will be in 2016 or 2021. I have no problem supporting the motion.

The other thing I would say is that we need a diversity of voices. I want to make it clear that I am not intending to be vying for the sixth seat in the next election; I hope to —

**Mr Dickson:** You would get elected if we moved to five seats.

**Mr Agnew:** There you go: the Alliance Party has assured me that I will be elected under five seats, regardless. I certainly do not want to discount myself from the next election, regardless how many seats there are per constituency.

If the previous election had been run under five seats per constituency, as Mr McCartney mentioned, we could have had a five-party Government and no Back-Benchers outside the governing parties. That is something that we should be concerned about. There is a balance to be struck. Good government should be efficient and cost-effective; equally, it should be diverse in its voices and representations.

This corner of the House has been referred to as various things, including “the naughty corner”. Perhaps we are the naughty corner because we are forever challenging the teachers, which is quite a good thing. Look at the record of me and Mr Allister in asking Assembly questions: Mr Allister has asked 272, and I have asked 207 — more than the whole of the Alliance Party. That is not an end in itself, but it is challenging and questioning Ministers. In a party of government, you may have less incentive to ask questions when the information may be more readily available. If you look at the private Members’ Bills that have come forward from Mr McCallister, Mr Allister and me, again we perform a valuable function in the Assembly.

For those reasons, the Green Party has argued that, if we reduce the number of MLAs, there should not just be a reduction in the number of Departments, but it should be accompanied by a change in the electoral system to have a top-up system, as they do in Scotland and Germany, to ensure that we keep the diversity of voices.

There would be a threshold to be met before any party would get representation in the Assembly. In Germany, for example, that is 5% of the vote. That could be the type of thing that we would look at. We should ensure that we do not end up reducing the diversity of voices and the benefits that are brought, particularly given our system, by having voices from outside Government.

The issue of the representation of women has been raised, and, just to correct Ms Ruane, her party is not the only one that supports quotas. The Green Party is in favour of quotas and implements them in its own party selections for elections, and there will be a minimum of one-third female Green Party candidates for the next Assembly election. It is something that we believe in, practice and would like to see implemented in Assembly elections.

We are very much in support of reform. I suspect that, in practice, the May 2016 elections come too soon for implementation of the type of reforms that we would like to see, but, in principle, we have no objection to it. We have consistently argued that good, efficient government can take place, but a number of things need to happen concurrently.

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

**Mr Agnew:** Those are the change in the number of Departments, a reduction in the number of MLAs and the change in the electoral system.

**Mr Lyttle:** I welcome the opportunity to wind up the debate. It has been constructive. A wider range of issues has been raised than was, perhaps, expected; but it is

important to state clearly at core what we are debating. It is the proposal to reduce the number of MLAs from 108 to 90, from six MLAs to five for each of 18 constituencies. It is indeed a fairly modest reduction, by all accounts.

On coming to the Assembly today, I was greeted by a member of the public whom I debate these issues with. The opinion given to me was, “Sure, you have no chance of getting that through the Assembly today, Chris, do you? Turkeys voting for Christmas.” Today presents an opportunity for us to surprise the ever-increasing frustration and disillusionment that is ever growing at this Assembly. We have an opportunity to agree on a modest, straightforward proposal, and I hope that there might still be time for people to reconsider their positions on that, but I fear that we may have to return to this issue.

**Mr Nesbitt:** I am grateful to the Member for giving way. I just want clarification of “turkeys voting for Christmas”. Is it “turkeys voting for Christmas” if we reduce the number by 2016, but not if we are voting post-2016?

**Mr Lyttle:** I thank the Member for his intervention. I will touch on the timing in due course, but I really do not understand. If the principle is agreed, and it is as straightforward an issue as it appears to most of the members of the public who want to see a reduction in costs and more effective government, why can we not show leadership on this issue and move forward now?

The Stormont House Agreement commits to the reduction; it says that it should happen by 2021. However, that does not preclude it from happening earlier. Indeed, the Alliance Party believes that there is no significant impediment to that taking place for the 2016 election.

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

**Mr Lyttle:** I give way briefly.

**Mr Sheehan:** If this was introduced for the 2016 election, how would the Member ensure that there was not an under-representation of women?

**Mr Lyttle:** I was going to address that issue as well, but I will come to it. I am proud that I have been surrounded by formidable, capable, courageous female elected representatives in my party. A wide range of issues prevents women from coming forward into elected representation. I am not sure that an overgoverned Assembly is necessarily one of them. Sinn Féin will maybe agree with me on this. Most regrettably, and I do not know why, many female elected representatives have been targeted, mistreated and spoken to in a most inappropriate way at times, and indeed, they have been physically attacked. On some occasions, they have resorted to removing themselves from elected office.

**Ms Ruane:** Will the Member give way?

**Mr Lyttle:** I will in a second. There are probably much more important reasons than the size of the Assembly as to why we do not have more female representatives.

**Ms Ruane:** Does the Member believe that quotas are the way forward, given the lack of representation of women?

**Mr Lyttle:** I believe that we need serious proactive activity to encourage the many capable women across our society — indeed, those from all under-represented sectors — to become elected representatives. I remain to be convinced

that we need specific quotas or how we would deliver such quotas, but maybe that is a debate for another occasion.

People also referred to the task of legislating. Work is ongoing to reduce the number of Departments from 12 to nine, with effect from 2016. It would be a significantly less complicated task to reduce the number of MLAs, so I see no reason why that cannot be taken forward.

The rationale is clear and strong: Northern Ireland is over-governed. We have substantially more MLAs per head than Scotland and Wales. It has been said that we have a unique context as a deeply divided society. Perhaps OFMDFM needs to do more work on building a united community. That would be one way of ensuring that we tackle the issue. Even allowing for that context, Scotland has one MSP per 40,000 people, Wales has one AM per 50,000, but Northern Ireland has one MLA per 16,000 to 17,000, which is a drastically different ratio and is over-governance by any stretch.

I will try to respond to some of the issues that have been raised. I have dealt with under-representation to a certain extent. Mr Danny Kennedy attempted to bring some humour to the debate, although I must make it clear that I doubt very much that the need to reduce costs and for more efficient and effective governance in Northern Ireland is a laughing matter to the public or, indeed, a dead issue to hard-working taxpayers, many of whom, before he abdicated office, could not even get their grass cut or their streets lit as a result of his approach to government. We need to move beyond that approach to governance in Northern Ireland.

Stevie Agnew raised a number of important issues. He suggested that the reduction take place in line with the reduction in Departments, ensuring that our multiparty coalition has effective opposition. He also mentioned alternative ways of protecting diversity in the Assembly, such as through our electoral system, all of which, I think, merits consideration.

This reduction could save around £11 million over five years. The childcare budget for 2011-15 was around £12 million. Those may seem like modest savings, but the resources could go a very long way for a lot of hard-working families. The Alliance Party is clear that this would be for the common good and in the interests of effective power-sharing government and well-resourced, efficient public services for everyone in our community. We commend the motion to the House.

*Question put.*

*Question put a second time.*

**Mr Deputy Speaker (Mr Beggs):** I hear Ayes from only one corner and Noes from all sides of the House. I think the Noes have it. I think the Noes have it. I think the Noes have it. The Noes have it, the Noes have it.

**Mr Dickson:** On a point of order, Mr Deputy Speaker. I ask that you review your decision, given the decision made by the Speaker last week on a Division.

**Mr Deputy Speaker (Mr Beggs):** If the Member had listened carefully, he would have heard that I said:

*"I think the Noes have it. I think the Noes have it."*

Until the Member spoke, no one had challenged that, and I had not made a final decision. I think that the Noes have it. I think that the Noes have it. The Noes have it.

*Question accordingly negatived.*

*Adjourned at 4.49 pm.*



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# Northern Ireland Assembly

Tuesday 24 November 2015

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Dickson:** On a point of order, Mr Speaker. Yesterday afternoon there was a debate at which I proposed a motion on behalf of my party. Considerable dissent was expressed when the vote on the motion was put to the Chamber, but, equally, considerable support was voiced by my party Members. I do not think this is the first occasion when concern has been raised about whether an appropriate Division should be called. I am concerned that a Division was not called yesterday on that debate. May I ask you to review the process of calling a Division by your Deputy Speakers? Thank you, Mr Speaker.

**Mr Speaker:** In fact, I am aware of the situation. Indeed, I was faced with a similar dilemma last week. I have actually asked the officials to work with me in providing updated guidance, which I think would help the House, as well as the Speakers. At times, it can be quite obvious to the Speaker where the balance of a vote may fall, but I think it is also equally important — there is a right, which I want to protect — to ensure that opposition is recorded in an appropriate way. Sometimes it is a judgement call, and sometimes there is confusion about where the threshold is, so I think we should update the guidance and put us all on the same pitch.

## Executive Committee Business

### Pension Schemes Bill: Final Stage

**Mr Storey (The Minister for Social Development):** I beg to move

*That the Pension Schemes Bill [NIA 54/11-16] do now pass.*

As I am sure Members are aware, we are in the midst of a period of almost unprecedented change in the field of pensions. The phased introduction of automatic enrolment into workplace pensions is well under way to ensure that most employees have access to a simple, low-cost pension scheme that will provide an additional source of income in retirement. More recently, the Pensions Act (Northern Ireland) 2015 introduced a new state pension system for all those who reach state pension age from 6 April 2016. The aim is to ensure that we have a pension system that is fit for the 21st century as we face up to the challenges posed by ever-increasing life expectancy.

The Pension Schemes Bill forms part of this ongoing process. It introduces a new legislative framework for private pensions and defines three new categories of pension schemes based on the different types of promise offered to members during the accumulation phase about their pension savings when they come to access them.

The categories are a defined benefits scheme, in which members have a full pensions promise about the rate of the retirement income that they will receive for life from a fixed normal pension age; a shared risk scheme, which is also known as defined ambition, whereby there is a promise about some of the retirement benefits, whether income or lump sum; and a defined contributions scheme, whereby there is no promise about the benefit outcome. For the first time, legislation will set out clear statutory definitions of various scheme types.

The Bill seeks to reinvigorate the pensions industry by allowing for greater innovation in pension scheme design. The new shared risk definition creates a middle ground between the more polarised defined contribution and defined benefit definitions. Shared risk schemes should provide employees with greater certainty about the final value of their pension than they would have under a defined contribution scheme but with less cost volatility for employers than a defined benefit scheme. Enabling legislation that allows for longevity, investment and inflation risks associated with pension provision to be shared between employers and employees rather than

borne by one party should result in improved pension outcomes for many.

The Bill also defines the concept of collective benefits and makes provision for regulation-making powers for them. Those powers cover matters such as the setting of targets for benefits, valuation, reporting requirements, transfer values, winding up and governance. Collective benefits are provided on the basis of allowing the scheme's assets to be used in a way that pools risks across the membership. Gains or losses arising as a result of the scheme's investments are shared among all members. The intention is that schemes offering collective benefits will be required to set targets in relation to the rate or amount of those benefits. The target level of benefit should provide members with a reasonable estimate of what they can expect to receive from the scheme.

An actuary will be required to certify that the initial target is set at an appropriate level and that the probability of the target being met falls within a specified range. That will help to ensure that schemes providing collective benefits operate in as transparent a manner as possible.

The Bill makes amendments to current legislation as a consequence of the new scheme definitions and the collective benefits provisions. In particular, the amendments will ensure that current legislative requirements relating to governance and administration apply in the appropriate way to the new scheme categories.

The Bill also contains powers to make regulations — for example, for indexation and the revaluation of benefits and in setting out conditions to be met for a pensions promise to be obtained from a third party and imposing a duty on managers to act in the best interests of members when making specified decisions on collective benefits or shared risk schemes. It also enables the Department to issue statutory guidance on the disclosure of information about schemes and includes a provision dealing with pension sharing and normal benefit age.

In conclusion, the key objective is to ensure the financial stability of future pensioners by ensuring that they can save into good private pensions during their working lives. I think that we all agree that that is highly desirable. The Bill will also create space for market innovation while ensuring that there is proportionate regulation for different scheme types.

I trust that Members are content with the broad thrust of the Bill. I know that pensions legislation can be somewhat complex and detailed.

Therefore, I want, in particular, to thank the Chair and members of the Social Development Committee for their help and the positive manner in which they considered this important Bill. I also want to place on record my appreciation to my own staff, who work relentlessly in this area; their expertise and dedication is an invaluable assistance to me in trying to manoeuvre what is a very challenging and technical issue. I am sure that they, like me, will be looking forward to the Chancellor's autumn statement tomorrow, which, no doubt, may have some further changes to the system that will give them further work in the future.

**Mr A Maginness:** I do not intend to rehearse what the Minister and others have said. I will keep my comments as brief as possible.

The SDLP supports the Bill. Although it has gone through with accelerated passage, the Assembly and the Committee for Social Development have had the opportunity to scrutinise the Bill and, indeed, to scrutinise the Minister on this important issue. As mentioned by the Minister during the Second Stage debate, increasing life expectancy should be celebrated — we all celebrate that, collectively and personally — although it brings with it its own issues and challenges, including the issue of pensions. Therefore, the issue of pensions is becoming more and more important for more and more people. Pension reform has been ongoing, and I believe that there will be further changes over the coming years, in the public sector and the private sector — perhaps even as soon as tomorrow, as the Minister said.

I will quickly mention some of the main aspects of the Bill. The main thrust of the Bill is to provide people with more flexibility and choice, and that should be seen as a good thing. Of course, we all welcome that. As the Minister said, and I take his words very seriously, there should be proportionate regulation. I welcome that, and I hope that that will be the outcome of the Bill and that the regulation will be proportionate.

Part 1 relates to the categories of pension schemes and contains provisions for a new framework in relation to categories of pension schemes. It aims to establish three mutually exclusive definitions for scheme types defined as a pension promise. Those can be defined benefit schemes, shared risk schemes or defined contribution schemes. Part 2 defines the concept of collective benefits and makes provision for regulation-making powers in relation to them. Part 3 mainly deals with amendments to existing legislation, mostly as a consequence of the change to scheme definitions.

The SDLP had some concerns about the Bill, which we mentioned during the Second Stage debate. Those included ensuring that we adequately safeguard the members' interests, ensuring that there is sound independent financial advice and ensuring a proper regulatory framework. We welcome the Minister's previous comments on the issues that I have just outlined. I also welcome the fact that the Minister has maintained parity by bringing the Bill through the Assembly by way of accelerated passage. The SDLP supports the Bill.

In conclusion, the Bill seeks to introduce new flexibilities to the way in which savers can access their defined contribution pots, with the stated aim of giving people more choice about how they fund their retirement. We believe that to be a right and proper opportunity for people to deal with money that they have invested for themselves, and they should be given more autonomy on that. With that, I conclude and reiterate that we support the Bill.

**10.45 am**

**Mr Speaker:** I call the Deputy Chairperson of the Committee for Social Development. My apologies, Fra, for the slight confusion at the top Table.

**Mr F McCann (The Deputy Chairperson of the Committee for Social Development):** Go raibh míle maith agat, a Cheann Comhairle. I thank the Minister for bringing the Bill to the House for its Final Stage.

While the issue of pensions is a devolved matter, as Members know, the Bill was granted accelerated passage.

However, in supporting accelerated passage, the Committee noted that, in the case of this Bill, which relates to private pensions, there is a single regulatory regime that operates here and in Britain. The successful passage of the Bill will ensure that the Pensions Regulator, the Pensions Ombudsman and the Pension Protection Fund continue to facilitate compliance and enforcement in the pensions industry here.

Many, if not all, of the private pension schemes that operate here are based in Britain, and the Committee was cognisant of the potential limitations in effecting change to the Bill. The Committee, therefore, took the view that it was necessary to ensure that people here with private pensions could avail themselves of the changes as soon as possible and seek advice as early as possible in order to plan for their retirement.

The Committee appreciates the importance of the Bill to ensuring that any new products that the pensions industry develops are also available here and are subject to appropriate regulation. The new regime will require regulations to be in place before April 2016 to ensure that adequate safeguards and protections are in place.

The Bill will facilitate the development of new types of pension provision that can provide greater certainty about what people can expect from their occupational pension. The Bill will also allow greater risk sharing: the risk may be shared among members so that schemes providing collective benefits may provide more stable outcomes than the individual defined contribution schemes currently available. That should allow greater protection for pensions from fluctuations in markets.

It is fair to say that we all know that pension provision is something that we should plan for. Actuaries inform us that we are living longer, that pension funds are under strain and that people have to start saving earlier, hence the raft of pension legislation over the last few years. It is also probably fair to say that pensions are something of a mystery to most people. In order to make the right decision about pension plans, people must get meaningful and understandable advice. It may be an attractive proposition, for example, to be able to access one's pension pot from the age of 55, which the Bill, along with the Taxation of Pensions Act 2014, facilitates, but that must be done only after considering the appropriate guidance and taking proper advice. It is, therefore, welcome that people can avail themselves of the free guidance from Pension Wise throughout the network of 19 citizens advice bureaux here. However, it is possible that some people will not realise that there is a difference between guidance and advice, and that advice, particularly in a financial context, means regulated financial advice, whereas guidance refers to more general information about terms or investment products.

Free guidance is merely the starting point. People need to have the right advice that is tailored to their particular circumstances. They need to understand that their decisions and actions have consequences. It will, therefore, be important to monitor the outworkings of the Bill, although it may take a number of years to understand fully whether it has produced greater stability in pension outcomes for the consumer.

The Committee for Social Development supports the Pension Schemes Bill.

**Mr Beggs:** I, too, support the Bill. The pension process, like that of welfare, is extremely complex, and we need to take great care with any suggested changes.

It is clear from the Bill that we had very limited opportunity to change things. Indeed, during the evidence that we were given, it became apparent that the schemes available in Northern Ireland are GB based and that any proposal to amend the guidance on them might eliminate the choice currently available to Northern Ireland consumers. It is vital that there is a wide choice and a degree of healthy competition, so I am pleased that the Committee and, to date, the Assembly, have supported maintaining parity on this important issue.

It is a sensible piece of legislation; it is modernising to reflect changes. As others said, it will give greater flexibility, which perhaps reflects more how individuals may move on and not necessarily be with one employer their entire working career. It creates increased flexibility with pension schemes and yet provides protections. As others said, there is a single regulatory regime for pension schemes throughout the United Kingdom, with a single ombudsman, and it makes sense to continue in that fashion. I support the Bill.

**Mr Storey:** I reiterate my appreciation of, and thanks to, those who contributed. I say to them, particularly the members of the Social Development Committee, that it is appreciated. I thank the Deputy Chair for his support. While accelerated passage meant that there was no formal Committee process, the Committee carried out a thorough scrutiny of the issues. I say a word of thanks for that.

I will pick up on a few of the points raised. The Deputy Chair, Mr McCann, raised the issue of the difference between advice and guidance. His point was well made. It is vital that people have as much information as possible to enable them to make sound decisions. One of the concerns raised during the process was about opening up the door to those who want to be mischievous and to those who have become known as scammers. It is an unfortunate fact of modern life that there will be people who will seek to scam others.

As part of the pensions flexibilities announced in the 2014 Budget, the Government proposed that all consumers with defined-contribution pensions should be entitled to access free, impartial guidance at retirement about their options when assessing their pension savings. That was launched under the branding Pension Wise by the Financial Conduct Authority, and the Deputy Chair made reference to it. It published standards for guidance and the delivery of Pension Wise. The Pension Wise website includes guidance on how to avoid a pension scam. The NI Direct website signposts people to the Pension Wise website and further advice on pension scams. The Financial Conduct Authority recently launched its ScamSmart campaign. Those are all to be welcomed, along with other independent advice that is available.

I now turn to the comments of Mr Maginness. I appreciate the work and effort that he and his colleagues make on these issues. He touched on a point that I mentioned earlier: proportionate regulation. I assure the Member that our aim is to provide appropriate regulation that will safeguard members' rights but which will not be so burdensome as to discourage employers from running schemes. I concur with him about the necessity of having

good-quality advice and guidance. That is vital. Much as been achieved over the period of the Bill in giving assurance and confidence not only to Members but to those who, ultimately, are the beneficiaries of a good pension scheme.

The Member raised the point about life expectancy. We all want to live for as long as we possibly can, although that, of course, is ultimately in the hands of someone else. We want to ensure that everything is being done in pension provision to reflect the change in our society. Pensions are always a movable feast because of the many challenges that are brought to bear.

On Members' comments again, I appreciate the work of Mr Beggs on these issues and his help in scrutinising what is an important piece of legislation, not least because some of us are getting nearer to that date. Maybe we should all have started by declaring an interest, but I will do it on our behalf. As I look around, I see that there are some who are further away from pension age, but I say that for those to whom it applies. I also want to say a word of appreciation and thanks to my staff. Thanks to the House for its help. This has been a successful piece of legislation that we have been able to do ourselves. We have been able to do it in a way that is a good reflection on how we can deal with an issue of such importance.

*Question put and agreed to.*

*Resolved:*

*That the Pension Schemes Bill [NIA 54/11-16] do now pass.*

## Committee Business

### **Housing (Amendment) Bill: Extension of Committee Stage**

**Mr F McCann (The Deputy Chairperson of the Committee for Social Development):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 15 January 2016, in relation to the Committee Stage of the Housing (Amendment) Bill [NIA 58/11-16].*

Go raibh míle maith agat, a Cheann Comhairle. The Committee Stage of the Housing (Amendment) Bill began on 10 November 2015 and is due to conclude on 11 January 2016. A Cheann Comhairle, I stated at the Second Stage that, during the recent period of uncertainty, the Committee was prudent and prioritised the Department's legislative programme within its work programme. With the assistance of the Department and, in particular, our stakeholders, we embarked on a call for evidence in advance of Committee Stage to ensure that there would be sufficient time for the Bill to proceed through the entire legislative process. For that reason, a Cheann Comhairle, the Committee aims to complete its consideration of the Bill before Christmas recess. It agreed, however, that it would be prudent to bring a motion to the Assembly to extend the Committee Stage of the Bill by four days to Friday 15 January 2016. This would allow an additional meeting after recess for the Committee to deal with unforeseen circumstances.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 15 January 2016, in relation to the Committee Stage of the Housing (Amendment) Bill [NIA 58/11-16].*



## Private Members' Business

### Licensing Bill: First Stage

**Mrs Cochrane:** I beg to introduce the Licensing Bill [NIA 69/11-16], which is a Bill to make provision for the granting of licences to authorise the sale of intoxicating liquor at outdoor stadia.

*Bill passed First Stage and ordered to be printed.*

### Trident Nuclear Weapons Programme

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to wind. All other Members who wish to speak will have five minutes.

**Mr Murphy:** I beg to move

*That this Assembly notes with concern the analysis by the Chair of the Foreign Affairs Committee in Westminster that suggests that the cost to replace the Trident nuclear weapons programme has risen to £167 billion; believes that it is indefensible for the British Government to commit billions of pounds of public money to nuclear weapons, particularly when individuals and families, locally and across Britain, are experiencing the consequences of austerity measures; and calls on the British Government to cancel their plans for the renewal of Trident.*

This is not intended to be a debate about British defence policy. It is simply a debate about the spending plans of the British Government over the next number of years and the very obvious folly in those spending plans. There are other areas of British spending plans and taxation that you could rise to criticise, but there is a very particular and obvious folly in relation to the huge amount of money intended to be spent on a Trident nuclear system. The spending of that amount of money will directly affect every man, woman and child in this jurisdiction in a negative way. Part of the contribution to that spend is taxpayers' money from this jurisdiction. So it is something that is of interest to the Assembly. As I said, our focus is on the spending plans. Of course, the British Government are entitled to have their own defence policy and follow their own defence strategies, as supported or proposed in the British House of Commons. However, such spending plans have a direct impact across Britain and, indeed, here in Ireland where people will be affected by the subsequent lack of money available to Departments and the systems of public spending here.

#### 11.00 am

Any of us who had the dubious pleasure of being at Stormont House, at the regular round-table sessions, will know that we are living with the mantra of no more money available to the British Government, the British Government's priority of reducing the deficit, and there being no more spending money, so every section and Department will have to face —

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

**Mr Murphy:** I will finish this point, and then I will give way. We were told that every section would have to face what were termed "eye-watering cuts", when, clearly, there is a significant amount of money for spending on this project, and others — albeit, today, we are focused on this project — that do not stand up to scrutiny and do not benefit ordinary people.

**Mr Humphrey:** I am grateful to the Member for giving way. Does the Member agree that, in an ideal world, Governments would not spend any money on defence and, indeed, that every Government would be neutral? Given the week that is in it, every Government have the duty to defend their people; that is their first duty and

responsibility. It would be anything other than wise for Her Majesty's Government not to invest in armaments to protect the people on this island and on the mainland, and, indeed, to protect us from world terrorism. Does the Member agree?

**Mr Murphy:** As I said, I had not intended this to be a debate about British defence policy. There is a huge debate about the merits of this aspect of British defence policy, not just on these Benches but across society in Britain. I note that significant spending was outlined yesterday by the British Prime Minister in relation to other defence policy spend. Certainly, this issue is contested by quite a few people, including people in the military in Britain, who question the wisdom of spending on this area of defence.

I believe that this issue is being debated today in Westminster, and Members here might well think that that is the place for it to be debated. I do not doubt that MPs from here will contribute, but, of course, my party colleagues honour the mandate that they have been given by the electorate and do not attend such debates in Westminster.

Today is an opportunity for the devolved institutions to have their say. Scotland already has had the debate and expressed a very clear view; the Scottish Parliament has expressed a very clear view on it. I have no doubt that Wales will have its say as well. I commend our Finance Minister for joining the Finance Ministers from Scotland and Wales in going to the Treasury and the leadership in the British Government with a united voice on their approach to public-sector spending and the damage that it is doing to the people whom they represent as Ministers for Finance in the devolved institutions. The Assembly, the Scottish Parliament and the Welsh Assembly speaking with one voice on an issue like this strengthens the hand of those whom we ask to speak to the British Government about the impact of their austerity policies and spending plans on the people whom we represent.

Tomorrow, there will be an announcement in Westminster from the Chancellor of the Exchequer. I do not doubt that the Finance Minister will wait with a certain dread as to what that announcement will mean, as will all of us. Will George Osborne revisit the tax credit issues that he promised to take over £4 billion from; or will he try to find the money in cuts elsewhere and have even deeper and harsher cuts on departmental spending? Or will there be additional cuts to welfare, perhaps? That is something that we will face tomorrow.

Aside from that, the British Government are committed to spending at least £100 billion. That is the view of the Westminster all-party Trident commission. That was at 2012 prices. We have since had an assessment from the Chairperson of the Foreign Affairs Committee, which suggests that the figure may well be £167 billion. This is at a time when the British Government are lecturing us about their need for austerity measures and their desire to tackle the deficit as their number one priority; the cuts that we have had to welfare; the potential cuts to tax credits; the cuts to departmental spend of £1.5 billion over the last number of years and the potential cuts of £1.4 billion going ahead. The question is how they justify that level of cuts not just here but to some Departments in Britain, which face 30% cuts to the public services that they are able to provide. The justification for that is a project that senior military people have been quoted as saying is strategically

completely useless. That spend, if it were allocated across Britain, for instance across work and pensions, education and transport — three areas that are under very significant pressure — the ensuing Barnett consequential that we would get would be £5 billion. Surely that could be put to better use to support people, create employment opportunities and educate young people to take their place in the workforce and contribute to a growing economy.

I do not accept the mantra that we are faced with, week on week, about there being no more money. I do not think that anyone here really accepted it. Even presenters on radio and TV programmes now accept that there is more money within the British system. The question is about the political choices that are being made on where that money is spent. Whether or not people have a desire to see strong defences as part of the British Government system, there are certainly very significant question marks over this particular project.

There is a growing sense that there is an opportunity among the devolved institutions and a commonality of views between them, as we had here in the Stormont House talks and in the recent talks to implement the Stormont House plans. People agreed that our budgets were suffering as a consequence of British Government policy and that we needed more money for health, education and growing the economy in the particular difficult circumstances that we face here. All that was agreed by all the parties. We might have had other differences, but we certainly agreed on that and asked and tasked the First Minister and deputy First Minister to go directly to the British Prime Minister and put the issues to him about the particular difficulties that the British Government's public spending approach is causing for our institution.

There is an opportunity for common ground between this institution and those of Scotland and Wales on these issues. There is certainly agreement in Scotland with the position that we are articulating here on the Trident project. There is an opportunity for the Assembly to speak with one voice and to actually contribute to strengthening the hand of the Ministers who we send across to Britain with Ministers from other devolved institutions to have these debates and discussions with Treasury and other senior figures in the British Government. This is about trying to ensure that public spending is targeted at those who need it most and makes a contribution to society. Clearly, in the case of this project, it does neither. I urge Members to support the motion. Go raibh míle maith agat.

**Mr Frew:** Jesus said:

*"You will hear of wars and rumours of wars, but see to it that you are not alarmed. Such things must happen, but the end is still to come."*

Plato said:

*"Only the dead have seen the end of war".*

I believe them. It is one of the great truths of our age and the one before it that the Cold War, for all of us, felt like a phoney war because it was fought at a level of spooks, spies and special forces. I believe that the reason for that was the nuclear capabilities of both sides. That sharpened and focused the minds of world leaders. It sharpened and focused the minds of populations. They would have been against the escalation of what we know now as the

Cold War. That is an undeniable truth that we should take cognisance of as we debate a nuclear deterrent. It is OK for Sinn Féin to say, "Well, we do not want to talk about defence; we want to talk about welfare." You cannot not talk about defence when you are talking about a nuclear deterrent.

That is what it has been for so many years. You cannot put a price on a deterrent that has stopped war and stopped people suffering throughout the ages.

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

**Mr Frew:** No. I have much to get through; I have so much to say and so little time. I apologise, because I usually would give way. I will see what I am like for time.

It is also a great shame on any nation that it would spend billions on missiles but neglect the soldiers, sailors, air crews and all the staff associated with that defence and not spend money on those personnel. It is vital that our servicemen and women, who go to fight wars on our behalf, receive the proper training, equipment and kit on their feet, on their backs and around their necks to do the job that we send them to do and which they have ably done over the last number of years and, in fact, centuries.

It is a truth that in the Falklands War — this is just one anecdote — when the British forces took, trench by trench and position by position, Argentinian conscripts, they even had to take the boots off the Argentinian dead because their feet were struggling to keep up with the war effort and the Argentinians' boots were better than those that our own service personnel wore. That is a great shame, and it is something that we should all be mindful of in this day and age when we talk about defence spending. It is shameful that the UK has not spent enough on defence over the last number of years.

I see the people who have tabled the motion and I want to ask them — and I will give way — what concern did Sinn Féin have for people's welfare when it defended the actions of the IRA when it exploded bombs — yes, bombs — in the trade and commerce centres of Ballymena and Coleraine? What concern did Sinn Féin have for people's welfare when it looked over Enniskillen's dead? I will give way on that matter.

**Mr Speaker:** I will just intervene and remind Members of the motion that we are discussing. I am afraid that those latter remarks departed from the discussion. If the Member is picking up on a different point I do not mind, but I do not want to go any further down that particular road.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I will return to the motion, and I thank the Member for giving way. The Member made the point that Trident has averted war. Has he not been watching TV throughout his life? Has he not seen countries pillaged by wars and hundreds of millions of people killed during wars? Trident has not prevented war. In fact, one of the top US nuclear officials, Robert McNamara, said that this Earth had been very lucky not to have experienced a nuclear catastrophe.

**Mr Frew:** Of course, the Member is talking about a different type of war, which is the terrorist campaign. He is certainly an expert on that. I am glad that the closest that Sinn Féin will ever come to having a say in the defence of our great country is when it is passing information over to its handlers.

**Mr Speaker:** You do have an extra minute.

**Mr Frew:** No, I am fine.

**Mr Speaker:** I would not want to constrain your contribution.

**Ms Hanna:** The SDLP supports the motion and will oppose Trident here and particularly at Westminster, where that opposition will actually be recorded. There is some irony that in the same week that we are repatriating welfare powers, we are seeking to devolve the UK's military defence policy to this House.

I learned from our information pack that, at present, a Trident sub remains on patrol at all times and has up to 40 warheads, each with an explosive power of up to 100 kilotons — eight times the power of the atomic bomb dropped on Hiroshima in 1945, which killed an estimated 240,000 people. These figures are almost too large for us to grasp, but it is quite clear that they fall far outside Thomas Aquinas's theory of a just war in any scenario.

Somebody outlined to me recently the concept of the Overton window, which is that there are a certain range of policies that the public will accept as reasonable. For reasons beyond my grasp, scrapping Trident has not been in that. It has been discussed in quite a theoretical fashion, but I think that, as the detail is discussed and the numbers and the funding commitment become more of a reality, that will change. I believe that, in the last vote at Westminster, about 360 MPs voted to keep Trident. They are probably the same few hundred MPs who voted for things like the Iraq War, the consequences of which we see playing out in Syria and further afield, so I am not inclined to take foreign policy advice from those MPs. I am also not inclined to take it from Jeremy Corbyn, but the fact that a potential UK Prime Minister who is not keen to blow the world to bits by having his finger on the nuclear button is seen as such a dreadful thing is a very sad reflection on our politics.

#### 11.15 am

Members outlined the cost of Trident renewal, and I will not go over those sums except to say that they are eye-watering, not least in the context of the austerity that is being applied to almost every other aspect of the UK's Budget. I have noticed that recent discussions on Trident seem to focus on the protection of the 10,000 jobs involved and the skills, as if Trident is some massive Keynesian policy. It goes without saying that, if it is about the jobs, the £167 billion that is under discussion could be far better spent on skills and investment, infrastructure, telecommunications, energy efficiency and any number of things that are not just a big military status symbol for Britain.

I would love to stand here and give you a pacifist argument against Trident, but you do not have to be a pacifist to be against spending on nuclear in such a substantial way. In fact, all the experts are saying that Trident drains money away from the UK's traditional defence and military capacity. I am not saying that we do not need to spend on defence. Clearly, we do, but let us look at the global threats to the UK in the last 10 or 15 years. Did the US's substantial nuclear capacity deter Osama bin Laden in 9/11? Did Trident deter the 7/7 bombers? Did France's substantial nuclear capacity deter the horrific attacks in Paris last week? They did not.

The fact is that none of the headbangers whom we need to protect ourselves from are deterred in the slightest from this sort of spending. We know from our own experience that those who think that their ideology is so important that they can shoot, maim and bomb clearly have very little regard for civilian lives. The very people whom the UK and people around the world need to be protected from will not be deterred by this in any way. As we can see from Brussels in the last couple of days, when there is a clear, articulated threat, defence is now intelligence-led and followed up by boots on the street.

On nuclear proliferation, the UK has —

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

**Ms Hanna:** Yes, I will.

**Mr Allister:** Is the Member saying that this world would be a safer place if we were to leave nuclear weapons to the likes of North Korea, and the rest of us were to give up the nuclear deterrent? Does she really think that that would make this world a safer place?

**Mr Speaker:** The Member will have an extra minute.

**Ms Hanna:** The Member is clearly referring to the fact that, since 1968, the UK has signed a range of non-proliferation treaties, but the nuclear deterrent is a relic of Cold War politics and does not reflect the actual threat to people in the UK and civilians and citizens around the world. I am not saying that we do not have any defence spend — clearly, we do. All the experts say that you are, in fact, draining money away from things that are needed. Max Hastings, a British military affairs specialist, said that Trident is:

*“less relevant to Britain’s security needs than is the Great Pyramid”.*

Crispin Blunt MP, the Tory Chair of the Foreign Affairs Committee, commented:

*“How much is too much? ... I believe that this level of spending ... is excessive as it will mean forgoing an effective conventional capability in order to maintain one weapons system that is unlikely ever to be used.”*

He referred to the fact that, by 2050, it is likely that most nations will have sonar capacity, which will be able to detect Trident.

Major General Patrick Cordingley, the former commander of the Desert Rats, points out that, due to the funding pressures in the navy, it lacks 600 specialists. Those are exactly the sorts of people who would be required to maintain the Trident fleet, and he suggests that the proposed spend should instead probably be weighed up against ships and tanks. I have not heard a coherent plan for what it would achieve, but I suspect that the people who are arguing so passionately for the renewal of Trident are probably the same people who are arguing to bomb Syria. If that were to take place, it would take place with 30-year-old planes, because the RAF has not invested in the weapons that it believes that it needs.

I do not agree that it necessarily does, but those are its arguments and not mine.

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

**Ms Hanna:** Trident, we are told, is an insurance policy in an uncertain world. I think that, at a cost of £167 billion, we need to be a little bit more certain. We could use that to —

**Mr Speaker:** Thank you. I call Mr Mike Nesbitt

**Ms Hanna:** — tackle poverty and drain the reservoirs before fundamentalism takes hold.

**Mr Nesbitt:** Last week, the party of the proposers of the motion took its role as a legislator so very seriously that it voted to transfer responsibility for a devolved matter to the House of Commons, where its Members do not take their seats and, therefore, do not even vote. I know that it would be an oxymoron to accuse republicans of abdicating, but that is what they did: they abdicated power to Her Majesty’s Government. Now, to complete the exercise of turning the world on its head, they want to debate a matter that is not, never has been and never will be devolved: defence.

If I heard correctly, there was no mention of timescales and no acknowledgement of the fact that the first Trident would not be due until 2028 — about a decade after austerity is due to end. So, the motion fails spectacularly to understand the timescales. There was also no mention of the likely annual spend in this austerity mandate. It is likely to be a very small percentage of the costs that the proposers suggest will attach to Trident renewal — costs that I do not accept as accurate. So, there is the first problem.

The motion also fundamentally misrepresents the costs of our security as part of our overall expenditure. It does not identify the reality of growing international uncertainty from nation states rather than from “headbangers”, as the previous Member who spoke referred to them. We have the resurgence of Russia, with its interference in the Ukraine, Georgia and other regions, the development of nuclear weapons by Iran, the continued uncertainty over the security of nuclear weapons in Pakistan, the proliferation of nuclear technology from North Korea and the remnants of the A Q Khan network. We argue that the retention and modernisation of our strategic nuclear deterrent is not only desirable but is, in fact, essential.

The costs for the replacement of the current Trident nuclear programme have been estimated, at 2014 prices, at around £20 billion. Through-life costs for the operation of the four ships is estimated to be around £100 billion by the Royal United Services Institute. So, with a lifespan of 35 years, that is around £2.85 billion per annum, which equates to 9% of the defence budget or 0.45% of UK Government annual spend. Even with the alarmist figures mentioned in the motion, as a percentage of UK overall spending, it is still less than 0.8% of annual expenditure. Rather than the figures mentioned in the motion, the fact that only 0.45% of our annual spend goes towards our ultimate insurance policy should be seen, I suggest, as very good value for money. I doubt whether that is much out of sync with what an MLA pays for annual insurance of one form or another. The cost of not maintaining our national security is, frankly, incalculable. Again, we welcome the Government commitment to spend 2% of gross domestic product on our defence.

Our country is one of only five permanent members of the United Nations Security Council and will remain so. We have the fifth largest economy in the world, and we will continue to be one of the top 10 global economies this century. We are a founding member of NATO, and we have a proud and distinguished reputation for standing up for and



supporting the international system. Our nation is and will remain a major global power because it effectively defends itself from and deters aggression. We are able to be a force for good precisely because we invest in systems such as Trident and its successor. Our nation has maintained an independent sea-based nuclear deterrent since 1968, and the Assembly should thank the men and women of our armed forces, the scientists, the naval architects and shipbuilders who have supported our security on these islands. In particular, we should thank the significant number of Northern Ireland and Republic of Ireland personnel who serve and have served in the Royal Navy.

We believe, along with the majority of our forward-thinking and informed citizens, that we must support investment in our future and security. While we sincerely hope that the world will be a much more peaceful place over the lifetime of this Trident replacement programme, we as a party do not believe that we can take the unjustifiable risk of unilateral disarmament. Rather than being "indefensible", the renewal of our strategic insurance policy, at a premium of 0.45% of national expenditure, is the only rational choice —

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

**Mr Nesbitt:** — in an increasingly unstable and unsettled world. Those who disagree should take the debate to the only Chamber that matters in this case: the House of Commons. We oppose the motion.

**Mr Dickson:** I support the motion. I also seek to reference a proposed Alliance amendment, which was not selected but which I believe would have provided for a more rounded and perhaps more realistic motion by calling for adequate investment in our conventional defence forces. Refocusing on our conventional forces is where I believe we should be heading in this debate.

I am sure no one wants to live in a world where nuclear weapons exist, but unfortunately they do. We certainly live in interesting times. For that reason, I am not calling for the unilateral disarmament of the United Kingdom, lest anyone should think that. Nonetheless, spending of up to the likes of £167 billion on renewing or maintaining the current level of the Trident deterrent seems to me to be a rather foolhardy endeavour, whether in times of austerity or beyond, especially when you consider that its use is equally a pointless gesture that taxpayers are unlikely to see.

Furthermore, we must consider that the Trident system is perhaps one that has long outlived its relevance. It was born from the 1950 and 1960's defence review following the disasters of Suez and the ominous threats of a thermonuclear-armed Soviet Union. I am old enough to remember my parents' and, indeed, my grandparents' views of the Second World War and the use of nuclear weapons on Japan, as well as a determination of many that they would never be used again. Fortunately, the Cold War never turned hot because, if it had, I doubt that we would be standing here today. As we know, nuclear weapons have been used only once in anger, some 70 years ago in Hiroshima and Nagasaki, the legacy of which had an impact on Japan and the world and something that we all have to think about today.

We are told of the benefits to the UK of holding on to a renewed Trident. However, it is impossible to assess the claims that the Government will never disclose the situation in which nuclear weapons would ultimately

be used. The current talk of fully renewing Trident also ignores the aspirations of the non-proliferation treaty, which seeks to further the goal of achieving nuclear disarmament.

Despite what others may think, the United Kingdom is no longer a world superpower and has not been since the 1950s. Its place in the world is not defined by its possession of nuclear weapons but is based on its conventional capability and relationship with other countries in the world. Currently, the United Kingdom has no aircraft carriers in service, severely undermining our ability to respond to the world's events. Fortunately, soon, Her Majesty's ship, the Queen Elizabeth, will be launched, as well as Her Majesty's ship, the Prince of Wales. However, in typical UK Government fashion, we do not have aircraft to fly off them. I happily saw that yesterday the Chancellor sought to finally resolve that anomaly, but that will take more time.

Nonetheless, despite our defence and cooperation treaty with France, French jets will not be able to use our carriers because of a Government attempt to do it on the cheap. Further to that, the numbers in our conventional standing army are dwindling to levels that have not been seen since the Boer Wars. Granted, the United Kingdom no longer has a vast empire, but we are crossing a milestone that could leave us unable to defend our country and our interests in the future, whether it is defence or, for me more importantly and more proudly, what the United Kingdom does when it comes to the use of our armed services in humanitarian aid in disasters and other theatres around the world.

Trident, for me, is an albatross around the neck of our security forces, as others said, tying down the Royal Navy's expertise and resources. Meanwhile the rest of our conventional services that we use every day are done on the cheap. That was proved by further announcements yesterday.

Further to that, aid and diplomacy are the preventative measures that the United Kingdom must strengthen and fund to stifle conflict and to encourage dialogue and economic and social development in the world's troubled regions.

### 11.30 am

As a nation, we need to move away from our nuclear status. I do not believe that it makes the UK superior to other nations, as some may think, but I do understand that, since the future is uncertain, it makes sense to retain a nuclear deterrent into the future until the United Kingdom Government make a decision about Trident. Ultimately, the resources saved can be reinvested in public services, in our infrastructure and in properly strengthening our economy as well as our conventional forces.

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

**Mr Dickson:** A full renewal of Trident would be a costly vanity project for the United Kingdom. Instead, a less costly option —

**Mr Speaker:** Thank you.

**Mr Dickson:** — would be to consider our conventional forces.

**Mr Dunne:** I, too, welcome the opportunity to speak to the motion today. It is a very important matter for everyone in the United Kingdom.

The core issue of having a nuclear deterrent programme in place is to deter an attack on the UK, its vital interests and its allies. Nuclear weapons would only ever be used in extreme circumstances of self-defence. Having a nuclear programme in place deters the re-emergence of a major direct nuclear threat and the use of weapons of mass destruction by a rogue state. It also acts as a deterrent to state-sponsored acts of nuclear terrorism and as insurance against emerging threats to the UK's vital interests.

Sadly, we were all reminded of the devastation that terrorism can cause as recently as just over a week ago with the events in Paris. We in Northern Ireland continue to live with the price of the terrorist campaign that this country endured for over 30 years. That reinforces the need to be prepared in all possible ways to ensure that terrorism of any form cannot threaten the relative peace and stability that we all enjoy across the United Kingdom today. Having a Trident system in place that is fully operationally and independent of the US or any other state is crucial to our national security, and, indeed, it acts as an insurance policy in what is a dangerous, uncertain and ever-changing world. I welcome the strategic defence and security review announced yesterday in the House of Commons by the Prime Minister. He outlined how the UK will be equipped to tackle terrorism and how £178 billion is to be set aside for military equipment over the next 10 years. We must make sure that we are prepared to tackle the ever-changing threats in the most effective and efficient way possible.

There remains some variance in estimated costs associated with the replacement of the Trident nuclear weapons programme, with a number of different figures being put forward. However, we must not put a price on our national security. Many jobs are linked directly and indirectly to the Trident programme, and they must be protected and secured as we move forward, with jobs to peak at 6,000 during the build phase from 2016 to the late 2020s through the £40 billion replacement scheme. The defence industry sustains thousands of jobs across the United Kingdom, including jobs in Northern Ireland. Firms such as Thales, which leads on defence research and development, and Caterpillar, among others, are major local employers that are involved in the defence supply chain. Indeed, the Prime Minister, as recently as yesterday, responded in the Chamber to a question from my colleague Sammy Wilson MP about how local firms, as well as sustaining and promoting jobs, can engage through the Defence Growth Partnership and ensure that we continue to play a pivotal role in the sector. The DUP has consistently pressed for the Government to spend 2% of GDP on the defence budget. It is without doubt money well spent. I urge the House to vote against the motion and ensure that our United Kingdom is safe and secure for many years to come. The way to maintain peace is to prepare for war.

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

To go back to what the motion states, I want to say that this is about government spend. It is not so much about defence. We must remember and put in context the fact that we are living in the sharpest period of austerity in

living memory. Only those alive in the late 1920s and the 1930s will be able to connect with or will have seen similar levels of austerity, especially in Britain. No area of government spend has been spared. Health, education, housing and welfare have been targeted. The one area that has not been targeted is, of course, Trident. It is the exception. Trident has been spared the austerity, and one has to ask why.

The previous contributor talked about the need to tackle the gross, barbaric terrorism that is spreading throughout much of the Middle East. I wholeheartedly accept that point, but he failed to explain how in the name of God Trident will bring peace to the Middle East. Absolutely not. The only time that any such system was used, it brought nothing but death and terror to 200,000 people in the Japanese cities of Nagasaki and Hiroshima.

We must remember that this is about government spend. This is about austerity and political choices. If we take education in Britain, fees have trebled, the education maintenance allowance has been scrapped, teachers have been sacked and courses have been scrapped. The British Government are now proposing to sell off the student loan book to private companies, and that will see student debt spiral out of control for decades. Ironically, scrapping Trident and restoring education spend to that of the days at the height of the Cold War would bring education back to a free and world-class level.

The economy was half the size during the Cold War, yet the national security threat was probably double. However, that was at a time that education was free and safe from austerity. In that era, Britain signed up to the non-proliferation treaty. Why sign up to the non-proliferation treaty and then demand that we restore nuclear weapons? The economy is twice as big nowadays. This is about political choices.

The NHS is under severe threat from underspend and privatisation. It is the perfect neo-liberal storm, with the Tories in the driving seat. Health spend in Britain is the lowest of the G8 countries, yet military spend is the fourth largest in the world. Somebody try to tally that.

We keep hearing about an insurance policy. The best insurance policy is to give someone a good education, a good home and a good hospital nearby. Which scenario makes us safer: hospitals or missiles, doctors or nuclear warheads? Ask the people of Hiroshima and Nagasaki what they would prefer.

Our A&Es are under threat. Our nursing homes are closing. What could we not do with the money that would come to us as a result of it being spent better on public services? I heard today repeatedly that this is an insurance policy somehow. Absolute nonsense. The risk trebles when we look at the restoration of nuclear services. As I say, build people a home. In fact, the money used for Trident would build more than a million homes.

**Mr Lunn:** The Member is concentrating on the cost, and that is fair enough, but there is an awful disparity between the figures in the motion, the figures that were on the news yesterday and, for instance, Mr Nesbitt's figure of 0.45% of our gross spend. Which is the right figure? What does the £167 billion represent and over what timescale?

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

**Mr Hazzard:** I thank the Member for that. That figure came from the all-party group that looked at Trident. We also have to bear in mind that the Ministry of Defence typically works off a 40% overspend on its projects. A figure of £167 billion is being quoted. The leader of the Ulster Unionist Party pointed out that this is going to take decades. I suggest that £167 billion is a conservative estimate when we consider the amount that will be spent.

The crux of the argument is that this is about political choices. The leader of the Ulster Unionist Party shakes his head, but this is a political choice. The argument was made that this has to do with national security, as if somehow, if someone were to launch a nuclear strike on a British city, launching a nuclear strike back would save the people in the British city. That is an absolute fallacy.

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

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

**Mr Hazzard:** No, I am running out of time and want to get finished. As I said, the best insurance policy that we can have is to build people a home — in fact, a million homes — provide suitable health facilities nearby and give them a world-class education.

Just to remind people out there who maybe do not know what Trident is, it is four nuclear subs, one of which is constantly circulating around the seas, with 40 nuclear warheads that are eight times more powerful than those used in the destruction of Hiroshima and Nagasaki. Some 200,000 people were killed in '45. That gives a total death capacity of 300 million. That number of people could be wiped out as a result of this policy.

Why is there a need for this? Replacing those submarines and warheads is a huge vanity project. Tony Blair said it: this is about status and sitting at the top table. I do not often agree with much of what Tony Blair says, especially when it comes to defence and foreign policy, but he is right. This is a vanity project, and it is about status and sitting at the top table. It does nothing for the ordinary people who live in Britain or, indeed, the North of Ireland.

What could we not do with the £5 billion? How many A&E departments could we not restore? How many schools could we not build? How many of those people on welfare who need our help and who turn to food banks and suffer from fuel poverty could we not help? How many older people, who have to choose between heating their home or eating, could we save? How many of those people, some of whom might perish during the winter, could we save?

This is a vanity project and nothing short of it.

**Mr Lyons:** Like others, I welcome the opportunity to take part in the debate. Obviously, Trident will be a decision for the Government at Westminster and for Parliament, and rightly so. However, I think that it is still good that we have an opportunity to talk about and discuss it. Ultimately, it will be a decision for Parliament, and I say to the Members of Sinn Féin that, if they want to talk about this issue, they can talk about it here, but if they want to be part of the decision-making process, they should take their seats at Westminster and do the job there.

I do not intend to repeat some of the arguments that have been made; I think that they have been well set out. However, there are just a few points that I want to make on the motion. The first one is this: the motion clearly does

not understand the word “replacement”. This follows from the comment that Mr Lunn made. It does not cost £167 billion to replace Trident. The costs of replacement were set out very clearly yesterday by the Prime Minister. The costs of replacement are £30 billion. I know that that is still an awful lot of money, but what we are talking about here is not £167 billion that will be coming out of the Budget this year — that will happen over a long period. In fact, the Secretary of State for Defence said last year that that would be spent over the course of 50 years. This is not an immediate cost to us, but, yes, it is a cost that is spread out over time.

The Member opposite raises all the things that he would like the money to be spent on instead of Trident. Of course, we want more money for public services and various different projects and things within the public services, but this is about defence. Other Members raised points very well about —

**Mr Weir:** I thank the Member for giving way. It also maybe shows a little bit of economic illiteracy on the part of those who proposed the motion. We are talking about £30 billion, which is essentially capital spend over a 50-year period, yet this seems to be just simply directly applied in some sort of mishmash of capital and resource schemes as though you can simply apply capital money in the same way to resource issues. They are all very worthy causes, but they are not just a direct read-across, as the Members opposite seem to believe.

**Mr Lyons:** I thank Mr Weir for his point. He makes it very well. All too often, whenever we discuss finance, we think, “Here is a pot of money; we want to spend it here instead”, as though it can all be moved about so easily. If there were savings to be made from Trident, I think they should be put into the things that Mr Dickson and Mr Frew spoke about, ensuring that our defence is capable of serving us in the way that we need to be served.

**Mr Dickson:** I thank the Member for giving way. I recognise what he says about the deployment of some resources at least into conventional weapons. Does he share the view of his party colleague Mr Donaldson that Trident should be relocated to Northern Ireland if the Scottish Government decide that they do not wish to have it on their shores any longer?

**Mr Lyons:** I hope that it stays in Scotland, where it is at the minute. But if it were to come here, I would welcome the jobs that would bring, very much so, as well as the different investment that would be here. Northern Ireland is part of the United Kingdom and it will remain that way.

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

**Mr Lyons:** I am being very generous but I will give way.

**11.45 am**

**Mr Frew:** The Member makes the point that he wants a nuclear deterrent, but not in his backyard. What nonsense is that?

**Mr Lyons:** I say to Mr Dickson that I would welcome the jobs and investment. It seems clear from recent polls compared with the result of the referendum that this part of the United Kingdom will remain part of the United Kingdom for much longer than Scotland.

Mr Hazzard raised all the things that we could spend the money on. We need to look at the long term. We cannot just look at the short-term situation and say, "We are in a bit of financial difficulty here, so we will scrap a part of our defence that we have had for 50 years and that we will need over the years ahead. Let's get rid of Trident to help out with our short-term problems." That is not the right way to go.

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

**Mr Lyons:** No, I have given way far too much. The Member will realise that I have been very generous.

We need to look at this issue and where we are in the world. There are still threats from rogue states and people who want to gather around themselves nuclear weapons. We should be prepared and have a proper defence for ourselves. That is the situation that we find ourselves in currently, but we do not know what will happen over the next 10 or 50 years, which we are making decisions on today. Indeed, the Prime Minister said yesterday that Islamic State was trying to get chemical and nuclear weapons capability.

I will make one final point. This is not about us having the ability to fire those weapons at will. We have the weapons as a deterrent; that is what we want them to be. We want them to be a deterrent against other people who would use the threat of nuclear weapons against us so that we can say, "We have this capability as well."

**Mr Attwood:** I will try to take forward some of the arguments made by Mr Dickson and Claire Hanna. Both referred to the need for interventions that revolve around aid and diplomacy to tackle poverty and the reservoirs from which extremism prospers. For us, unlike the last Member to speak, this motion is about defence, is about spend and is also about other matters, because you cannot deal with the issues of defence and spend on other matters in isolation from each other. To demonstrate that point, as we speak, 2.5 billion people around the world lack access to proper sanitation, one billion children are deprived of one or more services essential to survival and development, and 148 million under-fives in developing regions are underweight for their age. Yet we still want to spend £170 billion on a nuclear deterrent. Around the world, 101 million children are not in primary school and 22 million are not routinely protected by inoculation, and still we want to spend £170 billion on a nuclear deterrent.

The point is that our support for this motion is not just about opposition to the replacement of Trident. It is also about a paradigm shift in the conduct of the London Government and Governments elsewhere to respond to the scale and character of those figures and to recognise that addressing them addresses the issues of international security and stability. That is why we believe that this motion is not just about defence and spend; it is about a paradigm shift to a world order and world ethics that are informed by and respond to the scale of all of that.

I agree with Mr Hazzard that, even if it were a matter of mere cost, we need to be very vigilant.

There are reports in the media, which have not been contradicted, of a battle of wills between the Ministry of Defence and the Chancellor of the Exchequer as to who will carry out procurement when it comes to the replacement for Trident. Apparently, the Chancellor of the

Exchequer is arguing that he wants to build his empire and control the spend in order to ensure that the MoD experience, when costs escalated way beyond the initial budget, is not reproduced. On the simple issue of cost, I advise Members to be very vigilant that it will be £170 billion, because even the Chancellor of the Exchequer is advertising the fact that, in addition to building his political empire, which is now rampant across the British Government, he wants to control this spend because he knows the risks.

The third point, which has been touched on by a number of Members, is that I can understand that, on the far side of the Second World War, the intuition of the political establishment in London was to go for nuclear weapons. It might well have seen itself as the last nation standing in the face of the tyranny of Hitler. It was concerned that it could end up being the last nation standing in the face of tyranny from other parts of the globe. However, that intuition, which was understandable in one way, has now become the prevailing orthodoxy in London, and, to some degree, nuclear weapons have become a surrogate for a lost empire. They are a symbol of power and authority in a situation in which defence needs are of a different character from those that are ill-served by a replacement for Trident.

**Mr Cochrane-Watson:** There is no issue more important than that of national security, yet I feel that today's motion is a travesty, for several reasons. Of course there is a debate to be had about the UK's independent nuclear deterrent and the replacement of Trident — it is a massively important and serious issue — but this is not the place to have the debate or pass motions. I remind the Members who tabled the motion that we are part of the United Kingdom: the United Kingdom of Great Britain and Northern Ireland. National defence is a reserved matter, and Westminster will take this decision. It really is the height of hypocrisy to bring this take-note debating society motion to the Floor of the Assembly. It is a non-devolved issue, yet last week, Sinn Féin and the DUP could not wait to repatriate social security issues. Now, they want to legislate for Trident. Let us make up our minds.

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

**Mr Cochrane-Watson:** The Member will give way.

**Mr Hazzard:** The Member may be keen to know that we, the Welsh and the Scottish devolved Parliaments are all having this debate. We are all showing the democratic will of the people of these regions who are opposed to Trident.

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

**Mr Cochrane-Watson:** I remind those who tabled the motion that, at Westminster, the debate has taken place, and votes have been taken on whether we should replace Trident with a new nuclear deterrent. Votes were taken on 14 May 2007, 20 January 2015 and, lately, on 4 June 2015. How did Sinn Féin vote? How did Sinn Féin debate the motion in Westminster? We all know the answer: silence. There was silence representing their constituencies at Westminster.

I assume that the Members who tabled the motion now wish to follow the line of the SNP and comrade Jeremy Corbyn in wanting unilateral nuclear disarmament. Yet the Scottish nationalists want to remain a vital part of NATO, whose main principle is that of nuclear deterrent. There is



a logical and defensible argument that should be heard, but this is not the place for that. That scenario has already been outlined by eminent military leaders such as Field Marshal Lord Bramall, General Lord Ramsbotham and General Sir Hugh Beach. There is an argument against Trident, but they all want to make it to protect our army, our navy and our Royal Air Force.

I welcome the message of reinvestment that came from Westminster yesterday. That is vital, and the Ulster Unionist Party believes that we must rebuild our conventional armed forces and continue to commit 2% of our gross domestic product to enhancing the NATO alliance. I have not heard that argument being put forward by the proposers of the motion. The reason for that is simple: they do not care about and have no concern for the defence of the United Kingdom. As for decommissioning Trident, I suggest a tip to the proposers of the motion. Why not decommission the arms of the Provisional IRA? Why not deactivate the army council? That was supposed to happen 10 years ago, and it has been proven not to have taken place. That might be a more practical step to world peace and harmony than proposing motions such as this that cannot be implemented in any way and that are outside the remit of the Assembly.

I reject the motion. I call on everyone, no matter what they think of the ethics of nuclear weapons or of the retention of an independent nuclear deterrent for the UK, to vote this silly, time-wasting motion down.

**Mr Allister:** It is a commentary in itself that, in this new era of a fresh start, the only business that the House can find to debate today is something we can do absolutely nothing about, either now or, happily, at any time in the future. Quite properly, it is an issue for the sovereign Parliament of the United Kingdom. The irony has not gone unnoticed by many that the proposer of the motion had the opportunity for I do not know how many years — it was 10 years and more — to articulate the case that he brought to the House in a place where it would actually count. Of course, he opted not to do so.

This debate is a fictional nonsense. It is being held in this House to cover up the fact that those who abstain from real debate where the matter really matters want to create the aura and impression that they are concerned about the matter and are doing something about it. They want to pass, as someone described it, something akin to a school debating society motion. It has no more weight or credibility than that.

It is a serious issue about the defence of our nation. It is not just that the United Kingdom has independent nuclear deterrents. It holds those deterrents as part of the NATO defence of the western world. Our contribution to NATO — a very significant part of it — is our nuclear contribution. We do not hold those things in isolation. We hold them because NATO is the bulwark that has preserved peace in western Europe and the western world since the Second World War. We hold them as a deterrent with a proven record of doing that.

I was thinking of Ukraine. When it was part of the USSR, it had nuclear weapons. When it became independent, it declared itself nuclear-free. In fact, it returned its nuclear weapons to the Russian Federation.

It did so in return for a solemn pledge that its territorial integrity would be respected. What happened to Ukraine?

It was invaded, partially annexed and is now partitioned by the very power that took unto itself Ukraine's nuclear weapons. Ukraine, being outside of NATO, was powerless.

## 12.00 noon

That is a small object lesson in the deterrent effect of holding nuclear weapons. Nuclear weapons are not nice weapons but they are essential in a world where there are rogue states like North Korea and the Russian Federation with malevolent intent towards others. They have been a bulwark in maintaining the peace of western Europe. Therefore, it is absolute folly for some in the House to don their unilateralist cap, seek to join the comrade who leads the Labour Party and line up and parade themselves as those opposed to these evil weapons, with no regard to the fact that they are safe today because of those evil weapons. It is those evil weapons that keep the United Kingdom and western Europe safe. All of us, I am sure, hope that they will never have to be used, but it is by having them that we maintain the peace. Therefore, I think that the motion deserves only the rejection that I hope it will receive.

**Mr Ó Muilleoir:** Go raibh maith agat, a Cheann Comhairle. Is pribhléid é críoch a chur leis an díospóireacht seo ar an cheist tromchúiseach seo. It is a privilege to wind on this very temperate debate today on the issue of Trident, expenditure and our influence over decisions on expenditure that affect our people. It is my belief that the suggestion that spending billions of pounds on Trident is the best use of public funds is an example of perverse priorities. Those priorities are not the priorities that we see on the streets, roads and byways of the North of Ireland. Those priorities may make sense in London but they certainly do not make sense here.

When money is particularly scarce — we have just gone through a period of negotiation when the catch cry at every turn was that there is no money available and that austerity will reign — I have to agree with Alex Salmond, who said that Trident is as useless as it is wasteful in terms of public finances. I know that my colleague Mr Weir has left, but the rub is that our block grant will be used to finance that folly as well. That is capital and resource spending over many, many years.

My contention is that, rather than just rail against the expenditure on nuclear weapons, which, in my view — I do not like using the word “moral” in a Chamber of legislators — is immoral, we should set out our priorities and drive those home to the London Government, as long as they have the fiscal levers and the economic power, to insist that they set other priorities and that our expenditure goes on other areas that make a real difference and improvement to people's lives.

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

**Mr Ó Muilleoir:** Of course.

**Mr Lyons:** Thank you very much. The Member has just said that it will come out of our block grant, so I would like to ask him how much money will come out of our block grant each year over the next 30 years.

**Mr Ó Muilleoir:** Thank you, Mr Lyons. If we use Mr Nesbitt's figures — I am happy to use his modest figures, because last night they went up another £5 billion, with £10 billion contingency — which add up to £41 billion, we make

up 2% to 3% of that. If you use Mr Nesbitt's figure of £2.8 billion, between £50 million and £75 million per annum would come out of our finances unless there was a Barnett consequential.

Mr Frew started by quoting the Bible, which is often a cause for concern, unless he is going to quote, "Love thy neighbour as thyself." We may want to take our political direction from many areas, but let us not take it from any call to war, regardless of how we may wish to defend all our people.

Claire Hanna referred to this eye-watering expenditure, and eye-watering it is, no matter which figures you use, whether it is £167 billion or £41 billion. It is eye-watering, as Ms Hanna said. The funding commitment will become clear and will peak between 2019 and 2030. Of course, 2019 is during the mandate of the next Government.

Mr Nesbitt has left us, and I owe him an intervention but he will not get it today. He argued, again, that Trident is a priority. I do not see that and I do not think it stacks up. Mr Nesbitt mentioned the countries that we should fear are Russia, Iran, Pakistan and North Korea. Russia is an ally in Syria; Iran is involved in a rapprochement with the USA; Pakistan is an ally of Britain; and North Korea is probably one of the few countries with a higher military and defence spend than the British.

I very much take on board the points made by Mr Attwood and Mr Dickson that this is about a broader question than just public finances. It is about how we see the world, where we see our place and that of our neighbours in it, and whether we should focus our expenditure on nuclear deterrents and weapons. In those terms, Mr Attwood's reference to a "paradigm shift" is essential, as we move forward. I think that people in this part of the world have already made that paradigm shift and have spending priorities other than nuclear weapons.

Chris Hazzard said that the debate is as much about economic choices as it is about Trident. Of course, I endorse that.

Our friend Mr Lyons intervened but declined to say whether Carnlough or Ballycastle will be the location for Trident, which he would like to see come here. I think, though, that one thing that he would accept — and this goes to Mr Cochrane-Watson as well — is that, when they say that the debate in the devolved Administrations will have no effect on the discussion around Trident, the Scots may entirely upend the entire Trident project by voting for independence, voting against Trident, or voting to expel it. So, I think that our voice is important and matters.

On that paradigm shift, and having heard Members quoting the Bible in a Chamber where we may occasionally have heard the words, "No Pope here", an alternative view on how we should set our priorities for the time ahead came from Pope Francis in July this year, when he called for a new economic order, focused on the poor, declaring:

*"Let us not be afraid to say it: we want change, real change, structural change".*

He decried a system that:

*"has imposed the mentality of profit at any price, with no concern for social exclusion or the destruction of nature".*

That has to inform how we move forward in serving the people of the North of Ireland.

To conclude, I think that the debate actually does indicate the fresh start that Mr Cochrane-Watson talked about, because it has been a lot more temperate and polite than one might have expected.

Moving into the future, I hope that we manage to convince the British Government — as we did on welfare, tax credits and extra money for services here — that our priority is to improve the quality of life of those we serve. In that regard, I believe that part of the fresh start will be all parties in the Chamber, but certainly on these two sides, uniting around the need to defend our people and front-line services.

Earlier this week, I was in Forestside shopping centre and met a young man whom I will call Conall to save his blushes. He had left school after finishing his A levels and was working in a cafe but seeking a career. He was making up his mind about whether to return to university or try to get full-time employment. I think that our job is to make sure that we create work for young people like Conall. Our priorities have to be in serving all the people of this jurisdiction, rather than endorsing or standing idly by and silent while money is wasted on ventures such as Trident.

Mr Allister also mentioned a fresh start. I think that, in the time ahead, we will see other motions brought to the Chamber that will allow us to unite around a fresh start and unite around priorities that will be the best for all our people. We may not make common cause today on Trident, but I believe that we will make common cause in the time ahead around jobs, growth and investment.

*Question put.*

*The Assembly divided:*

*Ayes 44; Noes 44.*

## AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Mr Flanagan, Mr Ford, Ms Hanna, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Milne, Mr Murphy, Ms Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mr Rogers, Ms Ruane, Mr Sheehan.*

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

## NOES

*Mr Allen, Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Gardiner, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr Middleton, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr Cochrane-Watson and Mr G Robinson.*

*Question accordingly negatived.*

**Mr Speaker:** That sounds like mutual deterrence, does it not?

The Business Committee has agreed to meet over the lunchtime period. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

*The sitting was suspended at 12.23 pm.*

*On resuming (Mr Principal Deputy Speaker [Mr Newton] in the Chair) —*

**2.00 pm**

## Oral Answers to Questions

**Mr Principal Deputy Speaker:** Questions 2, 3 and 4 have been withdrawn.

## Agriculture and Rural Development

### DARD HQ: Ballykelly

1. **Mr G Robinson** asked the Minister of Agriculture and Rural Development for an update on the proposed second entrance for the new departmental headquarters at Ballykelly. (AQO 9158/11-16)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The initial configuration and design of the proposed access to the new DARD HQ was submitted in April 2015 as part of the planning application. In response to concerns from local residents, the configuration and position of the road has been amended and resubmitted. The detailed design drawings for the new configuration are being developed for submission to Transport NI by the end of this month.

The new access road will cross private land, and DFP's Land and Property Services (LPS) has been commissioned to negotiate with the landowner on behalf of my Department. Our plan is to appoint a contractor at the end of January 2016, and we expect the negotiations for the required access to be completed in advance of that.

Consultations with the Environment Agency as part of the planning process have ensured that the new access has been designed sensitively, taking into account the listed structures that are close to the site, such as the church and graveyard, in order to maintain the character of the area.

**Mr G Robinson:** I thank the Minister for her response. Will the Minister give the House an update on the relocation process and the rebuild situation of DARD headquarters?

**Mrs O'Neill:** Plans are under way, and I am very pleased with the progress. We are keen to deliver on the timescale that we have set out, and we are working closely with staff to plan the transition. As the Member knows, we are doing that through a transitional phase to allow people time to adjust and make a comprehensive transition to the new site.

Everything is going according to schedule, and I am very pleased with the work that is ongoing. It is full steam ahead. Other locations have been delivered on as part of the wider relocation programme: the Fisheries office opened in south Down, work started on the Rivers Agency headquarters at the Loughry site in Cookstown, and I intend to officially open the Forest Service headquarters in Fermanagh over the next number of weeks. All the ongoing work is very positive, and we are hopeful that we will deliver on the timescale that I have set out.

**Mr Dallat:** I thank the Minister for her answer. I am sure that she would agree with me that, while a second entrance to the former army camp is of critical importance,

far more important is what will happen on the remainder of the 900-acre site and whether there is the infrastructure to attract inward investment and, in the words of locals, attract hundreds, if not thousands, of new jobs. That is really what east Derry wants.

**Mr Principal Deputy Speaker:** I call Mrs Sandra Overend.

**Mrs Overend:** Will the Minister provide an update on what action —

**Mr Principal Deputy Speaker:** My apologies. Sorry, I call the Minister.

**Mrs O'Neill:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I concur with everything that has been said about the potential of the site and the potential wider benefits for Ballykelly and the entire north-west. The fact that DARD has moved onto the site and has become the anchor tenant creates the potential for other investors to want to move to the site. Obviously, there has been significant interest shown to OFMDFM, which owns the rest of the site.

There are tremendous benefits to be had for the entire north-west, particularly in employment opportunities, construction opportunities and all the other things that go along with developing the entire site.

**Mrs Overend:** I thought that the Principal Deputy Speaker was giving the Minister the new challenge of grouping the supplementary questions together. Will the Minister provide an update on what action her Department has taken to decontaminate the land at Ballykelly, especially to remove the lead? Overall, how much will it cost to clean the site up and remove the likelihood of flooding?

**Mrs O'Neill:** All those things were factored into the original costs, which were set out in, and were part of, the original plan. We looked at the existing onsite buildings, which were relatively new compared with the other buildings that might have contamination issues. That is an issue that OFMDFM is taking forward through the central advisory unit of LPS through DFP. That is their work.

We are interested in one specific part of the site, and I am confident that we have taken all the actions necessary to address any potential contamination issues. That has all been built into the programme timescale. The Member referred to flooding on the site. We are very aware of the flooding that happens at the bottom end of the site and the significant cost associated with taking that water away and ensuring that flooding on the site is stopped. Those are all considerations for any future investment and for anybody coming on to that site, but, certainly, for my Department's part and for the future of the headquarters going there, we are content that we have taken account of all the potential challenges.

**Mr Principal Deputy Speaker:** I call Mr Cathal Ó hOisín. I remind the Member that this is constituency-focused.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. The Minister has outlined the obvious benefits of the relocation of the DARD headquarters. As the anchor tenant on the Ballykelly and Shackleton site, will she outline what other benefits may accrue to the Ballykelly and wider east Derry and north-west area?

**Mrs O'Neill:** I thank the Member for his contributions. I absolutely agree about the wider benefits. As I have

always said, the relocation of the headquarters will obviously help to stimulate the local economy in a number of ways, particularly in relation to increased spending power in the local area and the provision of high-quality, high-value public-sector jobs moving to the site. Obviously, in advance of all that there is all the ongoing construction works, such as the clearing of the site. We will need ongoing servicing of the building. The benefits to the north-west as a whole speak for themselves. Very much at the core of the entire relocation project and all the relocations that we have been successful in delivering to date has been sharing the wealth right across the economy and making sure that we have a fairer distribution of public-sector jobs. That is only right and proper. I am glad that my Department is leading the way in terms of delivering for that.

**Mr Principal Deputy Speaker:** Mr Beggs is not in his place.

## Horse Racing Fund

6. **Mr Hilditch** asked the Minister of Agriculture and Rural Development for an update on the horse racing fund. (AQO 9163/11-16)

**Mrs O'Neill:** My Department administers the horse racing fund to support the two local racecourses. In 2015, charges on bookmakers have brought in just under £369,000 to the fund. Following representations from the local racecourses and from bookmakers, I commissioned my officials to review the horse racing fund charges, and a public consultation was launched on 2 July 2015. We have now received consultation responses, and officials are currently considering them. I will make a decision on the way forward in due course.

**Mr Hilditch:** I thank the Minister for the information supplied. The work of those who manage the facilities at Down Royal and Downpatrick is to be acknowledged and congratulated. Does the Minister value that as part of the rural economy? Can she help to progress and support those venues as a matter of urgency?

**Mrs O'Neill:** Yes. I absolutely value what they do in terms of the employment created and all the other benefits. With the consultation, we are trying to make sure that the horse racing levy is sufficient to allow us to continue to invest and attract additional support for the horse racing industry. The reason behind the consultation is to try to see where we can improve things, if we can. I was pleased to see the number of people who responded to the consultation. It shows a significant industry interest in the subject. I look forward to being able to make a decision on the way forward as soon as possible, given that the consultation has just closed.

**Mr Byrne:** Will the Minister state whether she is considering giving any grant aid to those racecourses? They provide a very important service to Northern Ireland, particularly to the horse breeders.

**Mrs O'Neill:** No, I am not currently giving consideration to that. I am currently looking at where I can help the industry. If I am minded to look towards raising the levy, there will be an advantage for the racecourses because they will have additional funding to reinvest. That is the priority area for me at the moment. I have spoken with Horse Sport Ireland and horse industry representatives in



relation to support for the industry. I am certainly willing to do all I can to support the industry.

## Woodland Cover

**7. Mr Flanagan** asked the Minister of Agriculture and Rural Development to outline the action her Department has taken to increase woodland cover. (AQO 9164/11-16)

**Mrs O'Neill:** Recently, I launched three new forestry grant schemes and allocated up to £17.4 million to support private woodland expansion and the sustainable management of existing woodland under the rural development programme for 2014-2020. The schemes are the forest expansion scheme, the forest protection scheme and the woodland investment grant. The funding is sufficient to create 1,800 hectares of new woodland and sustain approximately 4,000 hectares of woodland created under previous programmes. It will make a small but positive contribution towards my aim of achieving 12% woodland cover by the middle of this century.

Our woodlands are a vital community resource. There is a clear consensus about the need to increase woodland area to counter the impact of climate change and to provide a habitat for wildlife and places for people to relax and unwind from stress and to take part in physical exercise.

The forestry grant schemes which I have just launched will help deliver these needs. I urge farmers and landowners not to miss out on this funding opportunity, which could help to diversify their farming activity, and to remember that applications for planting this winter under the forestry expansion scheme must be submitted to Forest Service by 3.00 pm on Monday 4 January.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her answer. Can she give us any indication of whether these grants will be available to hill farmers, in particular, given the role that trees and woodland in high areas can play in soaking up water and rainfall and stopping it going down into valleys and causing knock-on flooding in other areas?

**Mrs O'Neill:** Current EU rules allow land that is eligible for the basic payment scheme and that is planted with trees under the forest expansion scheme to remain eligible for the basic payment scheme during the 20-year period of commitment. That is a potentially significant benefit for farmers who are thinking about diversification into forestry. That is farmers right across the board, whether they are hill farmers or not. The scheme is there for all to avail themselves of. There is potentially quite significant investment, both for the environment and for individuals to look towards diversification, if that is what they want their future direction of travel to be.

**Mr Cree:** Minister, as you know, in the 2007-2011 Programme for Government there was an ambitious plan, which was achievable but which, in fact, your predecessor never got near to achieving. In the current year, there is no target at all. Do you believe that there should be an afforestation programme in the next Programme for Government? If so, can you give some indication of the size that it should be?

**Mrs O'Neill:** No, I do not have that view at this moment in time. Obviously, we have a very strong forestry programme, which aims to meet the long-term aim of 12%

woodland cover by 2050. We are working our way through that, and we will also have a review of it midway through to see if we are, in fact, living up to being able to deliver on those targets. We will obviously consult on the Programme for Government. I am open to all ideas on what should be our key asks in the new Programme for Government, and I look forward to your support in delivering some of those.

**Mr Rogers:** Thanks, Minister, for your answers thus far. Minister, is there any particular grant to encourage willow production? I am thinking particularly of wood pellets as an alternative heat source.

**Mrs O'Neill:** There is not a forestry grant scheme for that type of production. However, that is something that could be looked at under the rural business investment scheme, the new rural development programme and the local action group (LAG) funding. I encourage anybody who has an idea on that to consult their local LAG on the opportunities for that area of work. We hope to have that scheme opened up at the start of next year, as soon as we sign off on the new rural strategies with the LAGs, which I hope to do by the end of December. There is potential scope for that type of business under the new rural development programme.

## Agricultural Community: Standard of Living

**8. Mr Allister** asked the Minister of Agriculture and Rural Development for her assessment of how the EU has delivered the promise of article 39 of the Lisbon treaty to ensure a fair standard of living for the agricultural community, in particular by increasing the individual earnings of persons engaged in agriculture. (AQO 9165/11-16)

**Mrs O'Neill:** The variability of farm incomes is a problem all over the world. The complex factors affecting farm incomes are many and varied. Bumper harvests reduce prices, while poor weather reduces yields and can result in higher prices. Economic recession, wars or political unrest can all curb demand for food, particularly more expensive food items. Exchange rate movements can affect the competitiveness of food exporters over a short period. In other industries, manufacturers can more precisely match supply with demand, and hence income variability is much less of a problem.

Agriculture is a special case, and that is why the EU supports farming to the extent that it does. How successful is EU support for farmers? As we all know, the agriculture sector is struggling, and I want the EU to do more to help. However, taking a longer-term view, the EU has been good for the farming community in the North. In the last 15 years, the underlying trend in real income is upwards. Of course, there is variation around that trend, with 2014 being an example of negative variation. As I have already outlined, volatility in farm incomes is inescapable because it is due to factors beyond our control.

In 2014, our farmers received around £295 million under the CAP. Farmers in the North would have been much worse off without this EU funding, which, of course, would disappear in a Brexit situation. Outside the EU, funding for agriculture would fall, unless the Treasury provided additional funds. We all know that the British Government have long wanted to reduce the funding going to farmers. This would be to the detriment of all our farmers.

**Mr Allister:** Leaving aside the propaganda, is the fact not that current falling incomes are a devastating testimony to the abject failure of the EU to live up to its own promise in its own treaty — the Lisbon Treaty — to increase the income of those depending on agriculture? It has lamentably failed and its recent attitude to the milk crisis showed that it could not care less. Is that not so?

2.15 pm

**Mrs O'Neill:** As I said in my original answer, there is room for reform. I said that I do not agree with the position that Europe has taken in response to the dairy crisis. I have made that statement to the House on a number of occasions; I have made that very clear. I am continuing to lobby the Commission on what more it can do in relation to intervention prices. I do not think that the approach that it took was the correct one. However, the fact remains that the CAP ensures that almost £300 million a year goes into the pockets of farmers. If we were to find ourselves in a scenario where we were no longer part of a CAP, where would that money come from? Who is going to assist farmers to be able to continue to produce food?

**Mr Allister:** Our own Government.

**Mrs O'Neill:** Agriculture is different. I tell you what, I would not want to be dependent on the Tories being able to replace the CAP. I would not want to be dependent on the Tories replacing almost £300 million a year of subsidies to farmers, because they are opposed to subsidies; that is not their ideology. You can have your opinion on Brexit, but I strongly do not share your view. Whilst the CAP creates plenty of challenges, red tape and regulations — all things that we have to work our way through — the benefit to farmers is almost £300 million a year. Almost £500 million was provided for the rural development programme. That is money that was invested in rural communities and rural businesses. All those things make a difference to the lives of rural dwellers and farmers. Whilst there are plenty of challenges with the EU, I think that the benefits for the farmers speak for themselves.

**Mr Poots:** How is the Minister and her Department helping to increase the earnings of individuals who are involved in agriculture through reducing red tape, on her side, and in providing practical support to farmers in a time of food price crises?

**Mrs O'Neill:** The Member knows that we are continually looking at how we can improve things and trying to reduce red tape. I think that we will have another opportunity to improve things further with the change in the make-up of the Departments. I think that we will have an opportunity to look at our inspection regime in particular. We can point to a number of examples of where things have been improved.

The Member also asked about practical support. My advisers are on the ground. College of Agriculture, Food and Rural Enterprise (CAFRE) advisers are working with farmers, particularly in relation to benchmarking. We are currently recruiting for business development groups. Again, that will be advisers working with farmers on how best they can meet the needs of their business into the future. So, there is plenty of practical work going on within CAFRE and across our three campuses in terms of the education opportunity. It is great to see that so many farmers are availing themselves of that and wanting to learn more. They want to benchmark; they want to look

at knowledge transfer; they want to look at how they can improve efficiency.

The new rural development programme is going to be a vital tool in supporting the industry into the future. As we work our way through the development of the farm business improvement scheme, there are certainly going to be benefits around looking at production efficiencies for all farmers across all sectors. I have worked very hard to secure that. We have the largest rural development programme that the North of Ireland has ever seen. The sooner we can get these programmes opened up at the start of the year, the better it will be for the industry in its entirety.

**Mr McCarthy:** The Minister will be aware of the recent case where a local vegetable grower received 8p for a turnip, while, at the same time, the same turnips were being sold in the supermarket for 80p. Does the Minister agree that that is a shocking state of affairs? What is the Minister doing to ensure that suppliers get a fair and reasonable return for their produce?

**Mrs O'Neill:** I totally agree with the Member. It is a disgrace; it is shocking. The Member will know that, since I have taken up office, I have been committed to bringing forward a strategy for the industry as a whole going forward, the Going for Growth strategy. Central to that strategy in going forward is a recognition that there is one supply chain. In order to have one supply chain, there needs to be respect right along it. Farmers need to be paid a fair price for what they produce. Obviously, nobody could be accused of using the example that you have highlighted merely to startle. Somebody getting that kind of price for what they are producing is absolutely disgusting and it should not be acceptable.

Recently, I convened a supply chain forum, which is an attempt to bring primary producers, processors and retailers together to look at how we can move forward together, how we can create more respect within the supply chain and how we can communicate that better.

We are involved in that work alongside challenging the major retailers, as I am always happy to do, on what they are paying for what they buy from local farmers.

**Mr Swann:** Going back to the thrust of the main story, the European Milk Board has actually just called for Commissioner Hogan to stand down because of his failure to redress the ongoing milk crisis. I know that the Minister and her party have been critical of Commissioner Hogan in the past. Will she join in that call for him to resign?

**Mrs O'Neill:** As I have said consistently, I do not agree with the approach that Europe has taken. I do not agree with the approach that the commissioner has taken. I have been critical of him and to him in person. I have been critical to him when I have written to him. I will challenge him continually on the role that he is playing to support the industry. Yes; I think that if the dairy industry continues with the low prices and the glut that it has, there will come a time when his position of burying his head in the sand and saying that there is no crisis will no longer be sustainable. I will continue to challenge the commissioner while he is in position on what he is doing to deliver for the dairy sector. I have not been shy about it in the past, and I will certainly not be shy about it in the future.

**Mr Irwin:** Given that £4 billion a year of exports were going to Russia, the ban has left farmers in a dilemma. Does

the Minister believe that Europe could have done much more to help the situation given that this was totally outside farmers' control?

**Mrs O'Neill:** Yes, because when we point to the situation in the dairy industry in particular, we know that one of the contributory factors is the fact that Russia stopped buying. Whilst we were not sending many dairy products into that market, we were sending cheeses, so that created a problem for the industry and has helped to sustain the low price. Yes, I believe that Europe could have done more. That is the point that I am making. I will continue to challenge Europe and Commissioner Hogan around what he is doing, because I believe that the approach that they took in Europe, whilst I accept that there is some funding and money going into farmers' bank accounts as we speak — it has been paid out from last week, so they will have received it last week and this week — and that is, in a sense, as a one-off, slightly helpful, I do not think that it is the longer-term approach that we need. I believe that we need to see a review of intervention prices that would allow the market to correct itself.

## Brexit: Agricultural Implications

9. **Mr McElduff** asked the Minister of Agriculture and Rural Development to outline the work her Department has undertaken on the implications for agriculture and rural development locally of an exit from the European Union. (AQO 9166/11-16)

**Mrs O'Neill:** Given the importance of this issue, I have asked my Department to begin assessing the impact of a possible British exit from the EU on agriculture and rural life in the North. Clearly, an exit from the EU would mean that direct payments to farmers and rural development funding from the EU would stop. However, the many uncertainties surrounding a potential exit makes a quantitative assessment of impacts very difficult.

There are significant uncertainties around the type of trade arrangements with the EU and the rest of the world that could be negotiated following a withdrawal of EU membership. Of particular significance is whether there would be tariff-free access to EU markets for agricultural products and vice versa. If direct payments from the EU stopped, it would not be feasible for the Executive to fund these payments at current levels from the block grant unless additional money were forthcoming from the British Treasury.

It has been clear that the British Government have long wanted to reduce the level of support going to farmers and rural development under the CAP. They do not regard this type of support as value for money. I believe that the Treasury would be unsympathetic to calls for some of the money that is saved from withdrawing from the EU to be used to maintain direct support to farmers and rural communities at current levels.

A significant reduction in direct support would leave many of our farmers in real long-term financial difficulty. A faster rate of structural change in the industry would be inevitable. Small farms would be likely to suffer the most. It is very likely that a reduction of funding for farmers and rural communities would have knock-on effects for the wider environment.

**Mr McElduff:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Does the Minister agree that,

when left to their own devices, the British Government at this time poorly represent — fail to represent — farmers and fishermen here?

**Mrs O'Neill:** One thing that we have been successful in, particularly with regard to the dairy crisis, is that we were able to get DEFRA onto our page with regard to the needs of the local industry, although it took a long time. We worked very hard to secure that. We made sure that we have a very strong voice in Europe, raising awareness of the significant and unique circumstances of the local dairy industry. That is why it is so important that we have decisions made by locally elected Ministers who understand the local situation, whether it is in farming, manufacturing or any other sector. It is so important that we have locally elected Ministers who can take decisions that are in the best interests. I certainly always take my case directly to Europe because I think that it is important to do that. Do they always listen? Absolutely not, but it certainly does not stop us going out and making as much noise as we possibly can when fighting our corner for local industry.

**Mr I McCrea:** The Minister has stated that she believes that we are better off in Europe than out of it. Given the fact that approximately £8.2 billion is paid into Europe by the British Government, what is she doing — if the will of the people is to pull out of Europe — to ensure that the agriculture industry in Northern Ireland gets the maximum benefit for farmers out of that £8.2 billion?

**Mrs O'Neill:** I think that you are jumping a lock of skips. We have to look at the reality, which is that the Tories' policy will never be one of subsidising farmers; they will never want to replace like with like. I would never be confident — I do not think that anybody could be — that the Tories would replace that money if there was a Brexit and they pulled out of the EU. It is highly unlikely, given Tory ideology, that they would ever replace £300 million for farmers. There was up to £500 million in the previous programme for the ongoing rural development work, which was about business investment and working with communities on community services and basic services. I would not be confident that the Tories would want to replace that. However long they remain in power, none of us can be sure of that. We are best placed to look towards fighting the challenges and to look for reform, but the interests of our farmers are better served within the EU.

## Farming: Business Development Groups

10. **Mr McMullan** asked the Minister of Agriculture and Rural Development how her Department will ensure maximum enrolment and representation of all farming sectors in the recently launched business development groups. (AQO 9167/11-16)

**Mrs O'Neill:** The business development groups programme was launched in early November, and applications will be accepted up to 4.00 pm on Monday 14 December 2015. CAFRE has the lead role in developing, delivering and promoting this scheme, which is funded under the rural development programme.

To encourage uptake of the programme and maximise enrolments, CAFRE engaged with industry stakeholders prior to the launch and continues to do so during the application period. CAFRE is using a variety of media to promote the programme to all sectors of the industry, including press releases, information leaflets,

radio interviews and the DARD and CAFRE websites. Information has been provided about the benefits of taking part, eligibility to apply, the funding available and the application process.

It is anticipated that CAFRE will allocate up to 1,500 farmers into groups in the 2015-16 year. A further 1,500 farmers will be allocated to the business development groups in subsequent tranches. To ensure that the programme has a positive impact across all sectors of the industry, sectoral limits will be applied to applications. In the event of oversubscription to one or more sectors, we will have to apply some criteria. The aim is to ensure that business development groups provide support for progressive farm businesses across all sectors of the industry in proportions that are representative of the size and sectoral constitution of the industry as a whole.

**Mr McMullan:** I thank the Minister for her answer. What funding is available for farmers who are keen to participate in these groups?

**Mrs O'Neill:** The benefits of the groups are the benefits to the farmers themselves. Working together with their peers, the business development groups will bring many benefits to farmers that will help them to develop their businesses, learn about new technology and improve farm profitability. They will be supported by a CAFRE development adviser and they will have the option to gain a level 3 qualification. Farmers who attend all eight training events will qualify for a payment of up to £490 a year. This payment is planned for the first two years of the programme and then it will be reviewed. An allowance of up to £600 per training event hosted will also be payable to farmers throughout the lifetime of the scheme. So, there is an opportunity for them to take part in the ongoing training and development work, while being assisted financially to be able, perhaps, to have someone help on the farm while they are at the courses. It also encourages them to host training events and share with other farmers their best practice and the good work that they do.

## Dairy Production

11. **Mr Dickson** asked the Minister of Agriculture and Rural Development to outline her plans to assist farmers to move to lower-cost dairy production. (AQO 9168/11-16)

**Mrs O'Neill:** My Department plans to assist dairy farmers to move towards lower-cost production methods through the ongoing delivery of education and training programmes at the College of Agriculture, Food and Rural Enterprise. CAFRE will also continue to demonstrate knowledge and technology transfer projects, which aim to improve business efficiency for dairy farm businesses.

From April 2015 to 16 November 2015, CAFRE delivered 57 training events aimed at improving production performance to 1,166 dairy farmers, and it is currently demonstrating five technology projects to the dairy industry. My Department will continue to work with AFBI to ensure that knowledge and technology transfer projects reflect the outcomes of research into low-cost dairy production systems.

My CAFRE advisers are assisting farmers by offering workshops entitled 'Feed and Finance' to look at the cost of milk production. In addition, my staff are assisting farmers to complete business plans and cash flows.

Participating in CAFRE's business development groups will also provide dairy farmers with the opportunity to work collaboratively, improve technical efficiency, improve business management skills and learn about new technologies and innovative ways of working. I encourage all farmers, including dairy farmers, to apply to business development groups before the closing date of 14 December.

2.30 pm

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We now move to topical questions.

## Pig Farmers: DARD Support

T1. **Mr Moutray** asked the Minister of Agriculture and Rural Development what her Department is doing to support local pig farmers. (AQT 3181/11-16)

**Mrs O'Neill:** I met pig producers just yesterday in relation to some of the challenges, which include, as the Member will be aware, the price differential that they receive. That is an ongoing challenge for local farmers. The other area that we discussed and which is ongoing is, obviously, opening up new markets and new potential export opportunities for pig product. That is particularly focused on China, but there are obviously other opportunities that we are looking towards.

**Mr Moutray:** I thank the Minister for her answer. Given the recent figures published by the National Pig Association that indicate that, typically, only 30% of the gammons consumed in the United Kingdom at Christmas are of British origin, do you feel that your Department could do more to help to exploit this area?

**Mrs O'Neill:** My Department is certainly doing all that we can to open up new export opportunities, and, as I said, China is a key market. However, we are also looking towards Australia, America and the Philippines. There are quite a number of other areas that we are targeting, and that is in conjunction with the industry. We are also looking towards a new marketing body, on which I have recently worked with the Minister of Enterprise, Trade and Investment to establish. Obviously, that will create opportunities for all sectors, not just the pig sector. It is about trying to get us the ability to market our product and to get into more opportunities, whether across England, Scotland or Wales or Europe or even further afield. I think that all the work that we are doing with the Agri-Food Strategy Board will lead to benefits in the medium and longer term for all sectors, including the pig sector.

## TB Eradication: Update

T2. **Mr Buchanan** asked the Minister of Agriculture and Rural Development for an update on her strategy to tackle the TB issue. (AQT 3182/11-16)

**Mrs O'Neill:** The Member will know that, particularly in relation to TB, we established an industry partnership that was to take forward a body of work. It has recently published its interim report and will produce a further report in the early part of next year, which, I believe, will look towards a sea change on attitudes right across the industry and farmers on how we can tackle TB. We have our TB eradication plan, which is worth £4 million from the EU. That is ongoing, and I think that we are all working



very hard from every possible angle to drive down levels of TB. That will enable us to look towards more export opportunities if we get to the stage where we can eradicate the disease.

**Mr Buchanan:** I thank the Minister for her answer, but I think that it is not much comfort for the farming community, especially those who have farms that have been closed for many months and are suffering great financial constraints. We are still wrestling with this issue and nothing positive has come to the fore to deal with the matter. Does the Minister agree that it is a serious failing under her watch and that of her predecessor that, to date, after many years, little has been done to tackle this particular issue?

**Mrs O'Neill:** This is a favourite question of the Member at Question Time. My answer remains the same in that TB is a complicated disease. There is no simple solution or quick fix. If there were, we would just use best practice from any other country and apply it here. Unfortunately, that is not the case. There is not any good practice or any good example to look to. We have our test and vaccinate or remove (TVR) programme. We have had our TB eradication programme approved by the EU, which is a programme worth £4 million. We have the TB strategic partnership group, which is ongoing and has produced quite a number of recommendations. I do not think that we can come at it from any more angles than that. It is a very complicated disease and we want to be able to eradicate it. We have been very successful in relation to brucellosis and, hopefully, we will get there as well with TB.

### Land Mobility Service: Young Farmers

T3. **Mr McCallister** asked the Minister of Agriculture and Rural Development whether she supports the Land Mobility Service initiative between Macra Na Feirme and the Young Farmers Clubs of Ulster, which tries to match retiring farmers with young people who are trying to get into the industry. (AQT 3183/11-16)

**Mrs O'Neill:** I have worked in the past with the Young Farmers and Macra Na Feirme around the Know Your Neighbour campaign, and I am very open to looking towards any of the campaigns that they bring forward. It is certainly my experience from areas where they have worked in partnership that they have been very successful, so I am very open to looking at supporting them again if they come forward with a proposal. To date, they have not actually come forward with anything specific. Obviously, we have an ongoing programme of work with young farmers, which I am very pleased with. I enjoy speaking to them regularly and talking about the programmes that they have been involved with.

**Mr McCallister:** I am grateful to the Minister for her reply. She will know that one of the big blockages in succession planning on farms is the conacre system, which causes problems with land mobility as well as succession planning. How does she see her Department addressing that issue? How would she drive forward any change in culture or in the way that system works?

**Mrs O'Neill:** Again, the Member will be aware, hopefully, that we have a succession planning programme in the rural development programme. It involves working with farm families on how to plan for the future, how their farm business will look in the future, and how to deal with any changes when they happen. Certainly, farm

family planning will be another key part of the new rural development programme. Whether it be the conacre situation or any of the other factors that contribute to when, how or why changes happen on family farms, we will certainly play our role.

Alongside that, we have recently announced the young farmers' payment, which is just over €81 per hectare. That is a good incentive for a young person to be the head of holding and take over the family farm. The fact that all those young people have taken part in a level 2 qualification in agriculture and are looking at further education opportunities bodes very well for the future of farming.

### Rural Development Programme: Sporting Organisations

T4. **Mrs Dobson** asked the Minister of Agriculture and Rural Development to acknowledge the concerns and perceptions of many in rural and farming communities that funding from the last rural development programme was heavily slanted towards sporting organisations, including large amounts to already cash-rich groups; and, given the farming crisis, to give an assurance that farmers will be prioritised in the 2014-2020 programme. (AQT 3184/11-16)

**Mrs O'Neill:** No, I do not agree with you. I think that the previous rural development programme, which is coming to an end — and we are about to open up our new programme — has been extremely successful in rural communities and in funding projects. I always say that the beauty of the rural development programme is that it is not about somebody sitting in the Department telling you what you need: it is about home-grown ideas; it comes from the community and is grassroots-up. So, I hope that the Member is not suggesting for one minute that some of the projects — that I know she visits and thinks are very valuable — are not valuable after all. When you go out on the ground and take a look at how the rural development programme has assisted communities to deliver for themselves, quite often working in partnership with other funders, you see that, in my opinion, it has been money well spent.

I have continued to do everything I can to address the farming crisis and, in particular, the dairy crisis. I am happy to champion the local industry's needs, and I have done so over the last year, or year and a half, particularly for the dairy sector. What I have delivered for the rural community and farmers is the largest ever rural development programme that the North has ever seen. That is my commitment to agriculture and rural communities: to make sure that we have the vehicle to be able to deliver for rural communities and farmers. I am keen to open all the schemes as quickly as I possibly can. Some have already opened, and the rest will open in the new year. It is not helpful, and it is disingenuous, to play farming communities against rural communities, because they are all same.

**Mrs Dobson:** I am disappointed by the Minister's response. As important as sport is, we have heard loud and clear in this Building about the real need that exists amongst our farming families. Will the Minister agree to meet farmers and rural representatives to ensure that the focus in the programme reflects the real needs of our farming community? Is she confident that the make-up of the local action groups will enable them to address that need?

**Mrs O'Neill:** Yes, I am very comfortable with the make-up of the local action groups. I am also very comfortable with

all the applications that have been processed and received funding. You referred to sporting organisations and cash-rich groups. I remind you that your councillors and party colleagues also sit on the LAGs that distribute the funding. Applications are received from community groups and organisations, no matter where they come from, and the LAGs, which include local community representatives and councillors from different political parties, make a decision based on the criteria. I hope that the Member is not referring to there being anything untoward in the delivery by LAGs because that is not the case. All applications are assessed based on the criteria.

To continue to play farming off against rural communities is not helpful, because farmers live in rural communities. Farmers are entitled to basic services, and they have the same challenges about access to transport, to broadband and to education for their families. I do not think that we need to play one against the other. Farmers are rural people who live in rural communities, and rural communities and people are entitled to the same support and attention from my Department. I am certainly not apologetic about that.

### Regional Reserve Refusals: Young Farmers

T5. **Mr Swann** asked the Minister of Agriculture and Rural Development, having asked her a number of times before, whether she has confirmed with her officials the refusals that young farmer applicants to the regional reserve have been experiencing owing to the qualifications of their accountant. (AQT 3185/11-16)

**Mrs O'Neill:** Yes, I have. We have been working our way through the issue. About 80 young farmers found themselves in that scenario. We are encouraging them all to respond to the Department, and they will be told how to deal with the issue.

**Mr Swann:** I thank the Minister for that answer. That is the same response that she gave to a question for written answer. Will she explain why a departmental official told a constituent of mine last week that the reason why he had been turned down was that his accountant did not have the proper qualification, but he would not put that in writing because he had been told not to do so? It still seems that the Minister's officials are applying that rule, although they are not prepared to tell constituents that that is why they are doing it.

**Mrs O'Neill:** Instead of raising the issue at Question Time, it would have been more advisable for you to have called to my office to talk about any official who is not doing something that is proper practice. I have clearly said to you that I believe that there is a way to resolve the issue. In those 80 cases that I referred to, if an accountant did not have the recognised qualification — that is, was not part of a registered accountancy body — there was a challenge to be addressed, but I believe that we have found a way to address it. If you wish to discuss a particular case, call up to my office after Question Time.

### Rivers: Responsibility Confusion

T6. **Mr Dickson** asked the Minister of Agriculture and Rural Development, given that she has responsibility for rivers, as does, in certain circumstances, Northern Ireland Water, whether she recognises the considerable confusion in the public's mind and the fact that there is an opportunity

between NI Water and the Rivers Agency to dispute a great deal of rivers matters across Northern Ireland. (AQT 3186/11-16)

**Mrs O'Neill:** A lot of cross-departmental work is ongoing on quite a number of projects. There is often confusion, which is why it is helpful that the Executive established the flooding incident line, which means that, if you are experiencing flooding, you have one point of contact. With the new departmental structure, there will be opportunities to address that challenge once and for all, in that all those issues will be dealt with by one Department.

**Mr Dickson:** I welcome your recognition that there is confusion. Despite there being a flooding incident line, confusion continues to reign. The recent flooding incident at Greenisland railway station in east Antrim, for example, is a classic case of both Departments trying to palm one off onto the other. At this point in time today, neither the Rivers Agency nor NI Water is prepared to take responsibility for a very dangerous situation because it forces pedestrians onto the roadway.

**Mrs O'Neill:** I am not aware of the ins and outs or the details of the case that you refer to, but, if you want, you can drop an email or talk to the private office about trying to establish the facts. I can answer only for the work of the Rivers Agency, not for the work of DRD or NI Water, but I am very happy to explore whether there are any shortcomings in my Department's role.

### Foot-in-mouth Disease

T8. **Mr McCausland** asked the Minister of Agriculture and Rural Development, given that she will be well aware of foot-and-mouth disease within the agricultural sector, whether she is also aware of the recent outbreak of foot-in-mouth disease suffered by her colleague Mr Flanagan who, in one moment, does not think ISIS are terrorists and, in the next moment, thinks that they are; is he suffering from foot-in-mouth disease. (AQT 3188/11-16)

**Mr Principal Deputy Speaker:** The Member knows that that is not an appropriate question to the Department of Agriculture. Bronwyn McGahan is not in her place.

### Fishing: December Quotas

T10. **Mr McCarthy** asked the Minister of Agriculture and Rural Development what prospects there are of her going to Brussels and bringing us back some good news about the December quotas for the fishing industry, albeit that she has been on her feet for three quarters of an hour and only once has the word "fishing" been mentioned. (AQT 3190/11-16)

**Mrs O'Neill:** The Member knows that I can answer only the questions that are put before me, but I am very happy to talk about fishing. I recently met the industry in relation to preparations for the Fisheries Council in Brussels over the next number of weeks, where we will have an opportunity to go out and argue our quota situation. It will be an uphill challenge, but we have been used to that for the past five or six years. In conjunction with our local industry, I have identified its priority asks, and I will go out with the industry to fight our corner to get the best possible result that we can. We will use our scientists and all the evidence that we have to argue for additional quota.

2.45 pm

**Mr Principal Deputy Speaker:** Time is up.

## Culture, Arts and Leisure

**Mr Principal Deputy Speaker:** I must inform the House that questions 6, 7, 12 and 13 have been withdrawn.

### Arts Council: Budget Cuts

1. **Ms Lo** asked the Minister of Culture, Arts and Leisure what measurable criteria were used to determine the redeployment of the funding that was cut from the Arts Council's budget. (AQO 9172/11-16)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I thank the Member for her question. She will now be aware that I have been able to reinstate the Arts Council's budget because of a successful bid for additional funds in the November monitoring round. That will enable the Arts Council to reinstate £620,000 that was to be lost through cuts that it planned to make to 32 arts organisations. For the same reason, I have also been able to reverse cuts to Sport NI, and that will also allow some support and flexibility and will help to preserve its grant.

While I am pleased with that — I am sure that the Member is too — we should, however, bear in mind the wider context. The cuts imposed by the Westminster Government have reduced the Executive's budget significantly. For me, DCAL started with almost 10% less than I had last year. The budget redeployment exercise was required to address a number of pressures that had arisen in my Department, and I firmly place that at the feet of the Westminster Government.

**Ms Lo:** I thank the Minister for her response and welcome the reinstatement of money to the arts sector. Féile has been given £550,000 from DCAL through a cultural programme funding stream over the last two years, but it seems that there was not a lot of transparency on how the money was distributed. What was the application process? Was there an application panel? Was there any evaluation of the output and a proper postcode breakdown of the beneficiaries to establish that, as she claimed, the money is definitely reaching those in disadvantaged areas?

**Ms Ní Chuilín:** I take exception to the Member accusing me of a lack of transparency. That is regrettable. It is also regrettable that the Member has chosen to single out Féile an Phobail when other organisations in the provision of arts and culture receive tens of millions of pounds more. The process was that Féile an Phobail lobbied the Tourist Board, Belfast City Council, my Department, and the World Police and Fire Games in 2013 to be cultural partners. With a bigger pot of money, Féile has year-on-year since then brought in more cultural partners with less money. It is open and transparent about what they all do, including in the Member's constituency. To try to clear some of the confusion, it would be good if the Member met Féile and some of the other partners in that partnership to talk about their work. They do indeed reach the most deprived, disadvantaged and marginalised in this community.

**Mr Humphrey:** I thank the Minister for her answer so far. I welcome the funding to the arts sector. The money that was withdrawn from the Arts Council of Northern Ireland did not come from Tory cuts; it came from Sinn Féin cuts in

that £900,000 was transferred to the Minister's pet project, Líofo. What is the Minister doing to reinstate the £100,000 that was taken away from marching bands? She promised to bring that back in a monitoring round.

**Ms Ní Chuilín:** It is regrettable that the Member still chooses to be offensive towards the Irish language, but I have come to expect nothing else from him and some of his party colleagues. It is ridiculous that the Member is also in denial about Tory cuts, even in his constituency, which is one of the most deprived. He is in denial about the impact of Tory cuts on people who are really deprived. It would be more in keeping if the Member asked a question that would benefit his constituents. I agree that it is his prerogative to ask whatever question he likes, and it is my prerogative to answer the question in whatever fashion I like.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Can the Minister outline what support the arts has received since she took the DCAL portfolio?

**Ms Ní Chuilín:** In the region of £75 million has been given to the arts. I have supported major capital projects. As I mentioned at the launch of the consultation on the new arts and cultural strategy yesterday, I have given capital moneys to the Lyric and the MAC, as well as funding very good and specialised work for the WheelWorks ArtCart, which goes out and about in a van and delivers arts and digital artistic services to communities. In even Mr Humphrey's constituency, £400,000 was given for the Beat Carnival premises in the lower Shankill.

**Mr Humphrey:** That is in West Belfast.

**Ms Ní Chuilín:** Well, it is west when it suits and north when it does not. *[Laughter.]* Talk about being confused. I am glad that the Member clarified that the Shankill is now in West Belfast. OK, thank you for that.

In Cathal Ó hOisín's constituency, the Member will be aware of the money that we invested in the City of Culture and its legacy programme.

### Boxing Clubs: DCAL Support

2. **Mr Craig** asked the Minister of Culture, Arts and Leisure how her Department supports established boxing clubs. (AQO 9173/11-16)

**Ms Ní Chuilín:** I thank the Member for his question. DCAL and Sport NI have been able to provide practical and financial support to established boxing clubs across the North, including clubs outside Belfast. That has been achieved through Sport NI's boxing investment programme, which will see lottery funding of over £3.2 million invested across the sport. In addition, under the City of Culture legacy programme, my Department is investing a further £1 million for boxing in Derry.

The aims of the boxing investment programme are to help the sport to address the needs of boxing clubs around club development and sustainability and the provision of suitable facilities and boxing equipment. A club development manager has worked with a large number of clubs to enable them to meet governance standards. Ninety-four clubs have received a range of boxing equipment valued at £170,000, and £2.5 million has been allocated to take forward capital works on the premises of 40 boxing clubs, 20 of which are outside Belfast.

**Mr Craig:** I thank the Minister for her answer. It is good to see that Londonderry is getting £30 million. With regard to small boxing clubs — there are a couple of them in my constituency — ongoing running costs are always an issue. Would the Minister support proposals, hopefully coming forward from the Finance Minister, to make them rates-free? The running costs of a lot of the clubs are where the problems lie for them.

**Ms Ní Chuilín:** I thank the Member for his question. Just to clarify, it was £1 million given to Derry, not £30 million. I am sure that a lot of people in Derry were getting excited, so I am sorry to quash that rumour.

It is important that small sporting clubs receive support, and it is regrettable that the Member's party could not support the Bill of that nature. However, it is important that areas that do a lot of outreach work with children and young people, keeping them safe and healthy, get support from government. I admire the work that a lot of sporting clubs do, particularly boxing clubs. I believe that the sport is trying to attract more women and children of all abilities. It is right and proper that, in turn, government gives support to the clubs.

**Mr McMullan:** Go raibh maith agat. How can DCAL help the boxing clubs that will not receive boxing investment programme funding at this stage?

**Ms Ní Chuilín:** I thank the Member for his supplementary question. I recognise that the lottery funding, albeit over £3 million, will not be enough to address the need out there. I have visited many boxing clubs across the North. Some of the conditions in the clubs are not fit for purpose despite the excellent work that they do, so the £3.2 million from Sport NI's lottery fund is not enough.

That said, Sport NI is working with a number of organisations, with my Department and other Departments, including DSD, for example, and with some district councils. We are trying to work with the clubs to ensure that there are opportunities. Some clubs need small amounts of money; others much more. There is potential for the clubs that need small amounts to lose out when Departments, councils and other bodies come together. That is the difference between some clubs having a viable project and others that are simply stuck between one Department giving funding and another unable to give match funding.

**Mrs McKeivitt:** I thank the Minister for her answers thus far. In the middle of November — I think that it was around 12 November — the Ulster Elite Championships were held in Newry, and I got an opportunity to see the boxing. Probably for the first time, I saw a couple of women boxers, other than seeing Katie Taylor box for Ireland on TV. Will the Minister outline to the House what Sport NI and her Department will do to ensure that boxing clubs are female-friendly zones and offer opportunities for females to develop their boxing skills?

**Ms Ní Chuilín:** I agree with the Member that it is good to see children of all backgrounds and genders involved in sport, particularly boxing, which has been predominantly male for decades. It is now very open and is trying to be as inclusive as possible. Through the Sport Matters strategy, we encourage the inclusion of women in a few sports — boxing is one of them — but we need to do much more. I believe that the Ulster Boxing Council and some, but not all, of the county boards have gone out of their way to

include more women. I also believe that proper facilities will help to encourage young women in the sport. Most importantly, attitudes have changed: Katie Taylor and others have been great role models and will help to bring more women into the sport as well.

**Mr McGimpsey:** In view of the Minister's answers this afternoon, how much of the millions available through her boxing strategy has Sandy Row Boxing Club, acknowledged as one of the best established clubs in Belfast, received?

**Ms Ní Chuilín:** The Member has asked me that question a lot, and he will get the same answer. This money and investment is for clubs affiliated to the Irish Amateur Boxing Association (IABA) and in receipt of a letter of offer. I understand that Sandy Row Boxing Club will receive money from Belfast City Council and other bodies, but it understands full well the rules of the funding and application process. Rather than sectarianising and politicising the issue, the Member should encourage the club to get that much-needed investment.

**Mr Allister:** Why does the Minister continue to punish clubs that, for very good reason, refuse to reaffiliate to an IABA in which they have suffered sectarian abuse?

**Ms Ní Chuilín:** I do not punish anyone. The rules are very clear, and people clearly understand them. It would be more fitting for politicians like you and Mr McGimpsey to support the clubs. It is the clubs that work with the children all the time. Rather than piggybacking on those clubs, you should help them to get the much-needed funding.

**Mr Allister:** You are not helping them.

**Ms Ní Chuilín:** I am absolutely open to helping those clubs. I have asked to go out and see them, and I have written to them. I have been to clubs across the North, including ones in predominantly working-class loyalist areas. However, I believe that the actions of some unionist politicians on the issue have been nothing short of pathetic.

## Euro 2016: Fans' Embassies

3. **Mr Cochrane-Watson** asked the Minister of Culture, Arts and Leisure what discussions have been held with the Irish Football Association and Northern Ireland football supporters' representatives on support for the establishment of football fans' embassies to provide information, assistance and support for Northern Ireland fans at the 2016 European Championships in France. (AQO 9174/11-16)

**Ms Ní Chuilín:** I thank the Member for his question. I can advise that my Department has had no discussions to date on this matter. The establishment of fans' embassies is something that the Irish Football Association, in association with the Northern Ireland supporters' representatives, might consider necessary at suitable venues in France for the 2016 European Championship. I would support the establishment of fans' embassies to provide travel advice, local information and assistance for fans. Any measures that can be taken to help to ensure that fans have a safe and enjoyable experience at the championships are worthy of consideration.

**Mr Cochrane-Watson:** I am disappointed by your response, Minister. In view of the terrible events in Paris 10 days ago, DCAL should step up to the mark financially



and operationally to give true assistance to the many thousands of British football tourists who will visit France.

### 3.00 pm

I also hope that you can maybe outline today how DCAL plans to celebrate the success of our national football team on reaching these championships. The silence from you to date has been quite deafening.

**Ms Ní Chuilín:** I know that the Member is new to the House, but it is customary for the Minister to wait for the Member to finish his question before answering.

Given that this is primarily a matter for the Irish Football Association, I have been very open in trying to assist where possible. I have provided the Irish Football Association with money in addition to capital moneys.

Sport NI is helping the Irish Football Association and the Northern Ireland team, as well as many other teams competing in championships. If the Member has a suggestion or thinks that I should do something specific, I am more than happy to receive representation from him or from anyone else for that matter.

**Mr Campbell:** I appreciate that it is some time until the championships next summer and that diaries are not yet filling up. Is it the Minister's intention, diaries permitting, to be in attendance in France at the football championships and to maybe change the habit of a lifetime and actually support Northern Ireland?

**Ms Ní Chuilín:** I think the Member's question is disappointing but certainly not surprising. He has been consistently negative. I will not be the Minister in 2016, but I am certainly happy to support the team. I am happy to support all the teams on this island. I think it would be much better if the Member stopped politicising this issue. I have been to Northern Ireland games on several occasions and have given my support. I did not see the Member there.

**Mr McKinney:** I too am concerned, following the recent atrocities in Paris, that enough should be done on working with the IFA to ensure that fans get the proper advice on travelling. Rather than getting to the stadium in France, would the Minister consider inviting both teams here for a special event to acknowledge their qualifying for the tournament?

**Ms Ní Chuilín:** Every year there is an annual event that DCAL sponsors, and all the teams are invited to that, including the big national teams, as well as some of the small clubs that have achieved success. The Member will not be surprised that I get hundreds of requests to host receptions here. Early in March next year not only will the Northern Ireland team be invited but all the teams in Ireland, because most of them are part of national governing bodies.

On the first point that he made about the events of the thirteenth of this month in Paris, I know that UEFA has been contacted by many national teams about arrangements for the championships next year. When I get an update, I am happy to share it with all Members, because I appreciate that they are concerned.

**Mr Lyttle:** The success and achievements of the Northern Irish football team have inspired and united this community, I am glad to say, and I thank the Minister for

acknowledging that and for agreeing that fans' embassies should be an important source of advice for fans in France. Is the Minister willing to meet with a delegation from the IFA and the Amalgamation of Official Northern Ireland Supporters Clubs to review how she might help the success of the fans' embassies?

**Ms Ní Chuilín:** I thank the Member for his supplementary question and, indeed, for his comments. I meet the IFA on a regular basis, and I am certainly happy to meet with the Member and a delegation from the supporters' clubs, along with the IFA. I am happy to bring in Sport NI and anyone else to ensure that this is the start of a process and, more importantly, to ensure that everything that we can do as a collective is done.

### Fish Disposal

4. **Mr Clarke** asked the Minister of Culture, Arts and Leisure, pursuant to AQO 8993/11-16, *what her Department does with the dead fish collected following a pollution incident that results in a fish kill.* (AQO 9175/11-16)

**Ms Ní Chuilín:** I thank the Member for his question. My Department's fisheries protection officers assist the Northern Ireland Environment Agency with the investigation of pollution incidents involving fish kills by collecting, counting and recording the species and sizes of fish that have been killed. This data may be used as evidence in prosecution cases should the offender be identified, and, as a consequence, all or some of the dead fish may be retained as physical evidence. In some instances, a sample of a number of dead fish may be sent to the veterinary sciences division of Agri-Food and Biosciences Institute (AFBI) in an attempt to identify the cause. Where there is suspicion that fish disease may be a factor, DARD's fish health division is notified as the competent authority for aquatic animal health, and a sample of fish may be submitted for testing on the instruction of DARD.

**Mr Clarke:** I thank the Minister for that answer. I am sure that she will be as surprised as I was that samples are taken from those fish, or tests are done, only in some cases. Can the Minister give us an assurance that, given the number of incidents, particularly in the Sixmilewater and the Three Mile Water in my constituency, or indeed anywhere in Northern Ireland, the work that her Department does is instrumental in trying to find the source? One way would obviously be to test all the fish to actually see what killed them and whether we can identify those polluters and bring them before the courts.

**Ms Ní Chuilín:** In cases of fish kills, particularly in the Member's constituency in recent times, my understanding is that all samples have been taken, particularly when there are recurrent fish kills in an area. I will certainly query this, but my understanding is that samples are taken from different parts of a river when there has been a fish kill to ensure that, if there is one cause, that cause can be identified. Maybe the answer did not reflect what is done, but I will certainly get the information for the Member because I know through representations from him through meetings and correspondence that this is an issue that he and my colleagues in that area, particularly the angling clubs, are very keen to get to the bottom of.

**Mr Rogers:** Thanks, Minister, for your answer. Does your Department comply with all EU regulations in the protection of fish?

**Ms Ní Chuilín:** To the best of my knowledge, the answer is as short as yes.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Does the Minister's Department have any formal agreement with other agencies and Departments for dealing with polluting incidents?

**Ms Ní Chuilín:** As outlined, we have a formal agreement with the Environment Agency, which is the lead agency with responsibility for investigation of water pollution. The Department has also agreed a memorandum of understanding (MOU) with the Environment Agency on the responses to pollution incidents where fish are killed. We are looking at a framework with the agency to outline cooperation and implementation of our respective statutory duties. Under the Fisheries Act 1966, DCAL has powers to prosecute those causing pollution in fishing waters, but in most cases that is taken forward by the Environment Agency. The MOU and the framework that are being taken forward will try to ensure that as much as can be done when incidences such as this occur will be done.

### Limavady Library: Opening Hours

5. **Mr G Robinson** asked the Minister of Culture, Arts and Leisure, given that the review of library opening hours consultation stated that no libraries in areas of high social deprivation should have their opening hours reduced by more than 10%, whether she will review the decision to reduce the opening hours of Limavady library. (AQO 9176/11-16)

**Ms Ní Chuilín:** I thank the Member for his question. The decision to reduce the opening hours of Limavady library was taken in accordance with Libraries NI's new opening hours policy, which comes into effect this month. It is regrettable that library opening hours have been reduced across the North. However, the new policy will help to ensure that all libraries, including Limavady, will remain open and will not need to close. While I appreciate that social deprivation affects many areas across the North, including Limavady, Libraries NI made clear in its review of opening hours consultation that libraries serving areas experiencing substantial levels of deprivation would be guaranteed protection from a greater than 10% reduction in their opening hours. Deprivation is determined using the published NI multiple deprivation measure 2010. On the basis of that measure, the opening hours policy has prioritised libraries serving three or more super-output areas.

**Mr G Robinson:** The Limavady area has three areas of high social deprivation and a large rural hinterland. Surely that should warrant a reconsideration of Limavady library's opening hours.

**Ms Ní Chuilín:** Libraries NI has information that it does not serve three or more super output areas. In comparison with Dungiven, Limavady's library is open for 40 hours whereas Dungiven library is open for 25 hours. In that situation, I think that the consideration of the library in the Member's constituency by Libraries NI was completely appropriate.

**Ms McGahan:** Go raibh maith agat. How many and which libraries currently meet the Libraries NI criteria of serving areas of substantial social deprivation?

**Ms Ní Chuilín:** I thank the Member for her supplementary question. She will be aware of most of the constituencies that fall within the top 10% most deprived areas. There are 12 libraries. Those are the libraries in Ardoyne, Chichester, Colin Glen, Creggan in Derry, the Falls Road in west Belfast, the Hollywood Arches, the Shankill, Shantallow in Derry, Suffolk, the Waterside, Whiterock and Woodstock.

**Mr Dallat:** The Minister will, of course, be aware that libraries in Ireland have a very rich tradition. Following the famine, they were instrumental in giving people an opportunity to learn to read and write. She will also be aware that, today, a quarter of a million people in Northern Ireland cannot read or write. Given that there are additional resources, will the Minister review her approach to libraries and give them the sustainability that they need to address the needs of our people, whether they are having problems with literacy and numeracy or are simply reading for enjoyment?

**Ms Ní Chuilín:** I thank the Member for his supplementary question. He will also know that, of all the DCAL arm's-length bodies (ALBs), I have given the most protection to Libraries NI. I know that it is disappointing when library opening hours are reduced, but I have done my best to ensure that no library has closed as a result of the block grant being cut.

In the Member's constituency, there has been a groundswell of support for local libraries and membership of those libraries has increased. I think that that will help with the viability and sustainability of libraries. As the Member and other Members will know, libraries are more than just about borrowing books. As he has outlined, they offer support with literacy and numeracy. They also offer support with mental health, support to children and families with homework and much more besides. I am glad that we at least enjoy cross-party support for our libraries.

**Mrs Overend:** I would just like to tease this out. Will the Minister advise how she will deploy further libraries moneys that were granted in last week's monitoring round?

**Ms Ní Chuilín:** Money was given back to libraries, particularly to help them with stock because that is part of their acute service and need, and that has been brought back. I appeal for cross-party support for our libraries. They provide a valuable service and, once they have gone, particularly in rural communities, it will be very difficult to bring them back.

### DCAL Budget Position

8. **Mr Cree** asked the Minister of Culture, Arts and Leisure for an update on her current budget position. (AQO 9179/11-16)

**Ms Ní Chuilín:** I thank the Member for his question. As a result of Tory Party cuts, my Department began this year with 10% less in its resource budget. In addition, the capital allocation for the stadia programme was reduced to nil. In managing the resource budget cut, I offered libraries some protection, as I have just outlined, because of the central role they play in local communities, both urban and rural. That inevitably meant greater pressures elsewhere of over 11% in the budgets of DCAL and the ALBs.

I insisted that all business areas minimised the effects of those cuts on services, reducing overheads in the first instance. That was helped by the establishment of the voluntary exit scheme, which around 60 people from within my Department and the ALBs will take up this year. It is, of course, impossible to shield the wider community from Tory cuts and, indeed, cuts to front-line services. DCAL has been affected and impacted, and that has been manifested in reduced opening times at museums and libraries, as well as bigger reductions to arts and sports.

**Mr Principal Deputy Speaker:** I call Leslie Cree for a supplementary question and I ask the Member to be quick.

**Mr Cree:** Thank you. I certainly will. I thank the Minister for that.

Minister, you will remember that you recently advised the Committee that £610,000 would be included in your bids for the June monitoring round for depreciation. The Finance Minister told us here last week that £24.4 million, which was ring-fenced, or resource DEL, could not be reallocated because it was for depreciation and impairments. Did you get that £610,000? If not, why not?

3.15 pm

**Ms Ní Chuilín:** The Finance Minister, in fairness to her, did try to reverse some of the impacts on my budget. Unfortunately, not all of the bids that I made could be met in this monitoring round, but we are working with officials in DFP to try to have those met in future monitoring rounds.

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We move to topical questions. Mr David McNarry is not in his place.

### Outburst Queer Arts Festival 2015

T2. **Mr Givan** asked the Minister of Culture, Arts and Leisure to ask the Arts Council to review future funding for the Outburst Queer Arts Festival, following the screening of 'The Gospel According to Jesus Queen of Heaven', in light of the criticism from the mainstream Christian denominations and a protest that was held by the Catholic constituency when the play was shown and bearing in mind her responsibility to promote good relations and the fact that religious belief is a section 75 group. (AQT 3192/11-16)

**Ms Ní Chuilín:** I will not be writing to the Arts Council to ask it to review its decision. I do not believe in any form of censorship. I do think it is regrettable that people have been offended, but it is not my job to intervene in the Arts Council to have it reverse its decision.

**Mr Givan:** In light of the decision to have the Lord's prayer banned because it is deemed to be offensive to people who are not Christians, can the Minister not recognise why Christians in this part of Northern Ireland believe that they are subject to unwarranted attack for their genuinely and sincerely held beliefs? Is it necessary for the LGBT community, in promoting its own identity, to be offensive to people of faith?

**Ms Ní Chuilín:** I do not believe that anyone should be offensive to anyone of faith, but I also believe that people of faith do not have a veto over other people's rights and beliefs. I do not support the Member's position regarding persecution of Christians in this country. I believe that

responsibility comes with religious and civil liberties. I would not support anyone criticising or abusing anyone's belief, regardless of whether that is political or religious. I could not support that at all.

### Sport NI: Application Feedback

T3. **Ms McGahan** asked the Minister of Culture, Arts and Leisure to detail how a club that was unsuccessful in its application for funding from Sport NI can get feedback and whether there is an established process for such feedback. (AQT 3193/11-16)

**Ms Ní Chuilín:** I have received that request on many occasions recently, because some clubs that were not successful in some of the rounds of capital funding from Sport NI have asked that question. The short answer is yes, there are processes. Some clubs want very detailed feedback, and they are entitled to that. I suggest that if that is the case with the Member, or even if people just want some feedback to help with future applications, then, in the first instance, clubs should contact Sport NI. If they want it done person to person, they should state that. I know that some clubs are happy to have feedback over the phone and others demand a much more rigorous process; but there is a process in Sport NI nonetheless.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for her response and look forward to any clarification she can bring to ensure that unsuccessful groups get feedback from Sport NI, as it is important that they can correct and amend their work in going forward.

**Ms Ní Chuilín:** I totally agree with the Member, particularly for some of the smaller clubs or those that do not have as much financial flexibility to buy in consultants. It is important for those clubs, many of which are managed on a voluntary basis, to get as much detailed feedback as possible, particularly when they are going forward, because I am sure that the needs and rationale for putting in the applications have not changed. So, it is important that they get as much feedback as possible.

### Public Appointments: Gender Balance and Representation

T4. **Ms Ruane** asked the Minister of Culture, Arts and Leisure to outline what she has done to ensure gender balance and representation for disability groups on boards, given that she shares her concern about the lack of women in public bodies through the public appointments process, which will be discussed this Thursday and Friday at the North/South Inter-parliamentary Association. (AQT 3194/11-16)

**Ms Ní Chuilín:** I share the Member's concern and have done so for some time. When I went into the Department in 2011, less than 30% of those in the public appointments process were women. It has gone up to 36%, which, in my opinion, is still not good enough. I have met previous Commissioners for Public Appointments and asked them how to make the process more open and attractive, particularly to women and to people with disabilities. I continue to seek advice from the Commissioner for Public Appointments and others. If the Member or anyone else has any additional information, suggestions or advice as to how I can take that forward, I am open to hearing from them.

**Ms Ruane:** Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer and welcome the increase but note that we still need to do more. The Minister will be pleased to hear that the new Commissioner for Public Appointments will speak at the North/South Inter-parliamentary Association meeting. She is travelling to Dublin. We will be working with her, but will the Minister continue her efforts to ensure that we continue representation?

**Ms Ní Chuilín:** I absolutely will continue my efforts. Part of those efforts in the past, which I did not mention initially, was to change the way in which the application process happens and to encourage people to seek advice before they put in an application. I am working with the Commissioner for Public Appointments and other bodies to make that easy. I look forward to a report from that meeting and to receiving any advice that I can take to ensure that there is more openness and transparency and better representation on our public bodies.

### Junior and Amateur Football: Capital Support

T5. **Mr Poots** asked the Minister of Culture, Arts and Leisure to outline her proposals for capital support for junior and amateur football. (AQT 3195/11-16)

**Ms Ní Chuilín:** The Member may be aware of the application process that Sport NI has started for capital funding from lottery funds. I will shortly announce a consultation process on subregional funding. Some of the bigger clubs that are in junior leagues and have junior clubs attached to them will be keen to participate in that. The IFA has also received money from DCAL not only to ensure the inclusion of junior football, for which it has also received money from Sport NI, but to ensure that young girls are included.

**Mr Poots:** You have been saying that for some time, Minister, so we would like to see it move forward. Given that my constituency has a series of football clubs at junior level, will the Minister give an assurance that they will have the opportunity to apply for facilities such as changing rooms, stands, pitch improvements and so on?

**Ms Ní Chuilín:** I cannot give the Member that assurance because, as he will know — maybe he is not aware that it was agreed at the Executive — the second phase of soccer money at subregional level is for bigger soccer clubs. The Member should direct junior clubs to Sport NI, which is the perfect place for those clubs to apply for funding. If he feels that they are not getting enough information from Sport NI or the local council, I am happy to hear the details.

**Mr Principal Deputy Speaker:** Mr Trevor Lunn is not in his place.

### C S Lewis Festival 2015

T7. **Mr Douglas** asked the Minister of Culture, Arts and Leisure whether she agrees that events such as those that were held very successfully in east Belfast last week as part of the C S Lewis Festival are the sorts of initiatives that we should be supporting at local level, in that they involve children, young people and a lot of elderly people. (AQT 3197/11-16)

**Ms Ní Chuilín:** I absolutely agree. The festival, along with EastSide Arts, has grown from strength to strength, particularly in recent years. The Member has been very supportive and, in fairness to him, very fair and genuine in his approach to ensure that east Belfast receives support. One of the best stories that it has — apart from Van Morrison, whom I am sure the Member will mention — is the whole C S Lewis narrative and its association with that part of the city. I have supported it and will continue to do so.

**Mr Douglas:** The Minister today attended the unveiling of the C S Lewis and Seamus Heaney portraits. Does she agree that that is the sort of positive image that we need to project from Stormont? Does she have any ideas about expanding that to bring in the likes of the late George Best, the tenth anniversary of whose untimely death is tomorrow?

**Ms Ní Chuilín:** As the Member will know, I am open to suggestions that provide a space and a legacy for citizens right across the North. I picked up on the Member's point that those are the first two portraits here of non-parliamentarians, and I think that that sends out a good message. It is also good because Seamus Heaney and C S Lewis's books and the story around them have provided inspiration for others engaged in the arts who are coming behind them. The more people who come to the Building — there are many, and that is good — and see ordinary people who have done extraordinary things for us acknowledged in these halls, the better.

### Culture and Arts Strategy: Consultation Delay

T8. **Mr Buchanan** asked the Minister of Culture, Arts and Leisure why there was such a delay in the publication of her consultation on the strategy for culture and arts. (AQT 3198/11-16)

**Ms Ní Chuilín:** I make no apology for the fact that I brought it forward yesterday; I think that it is good thing. I want to make sure that the consultation is done right. I wanted to make sure that the document, in conjunction with the great work done by the ministerial advisory forum on arts, along with DCAL and the Arts Council, was given the attention that it needed. I believe that the way in which the consultation was brought forward yesterday — by the way, it closes on 12 February — will give many people an opportunity. I encourage the Member, indeed, all Members across the House to get people from his constituency to feed into the consultation for the future.

**Mr Buchanan:** I hear what the Minister says, but does she not accept that, with the closing date of 12 February and some six to eight weeks to consider the responses, there is the potential for it to run out of time? There will be no strategy in place, and that will be another failing by the Minister and her Department.

**Ms Ní Chuilín:** If the Member feels that I have failed in my Department, it is the first time that I have heard it, although I accept that he is reading from a question that was put into his hand, probably, by his colleagues. He is probably not aware of what I do in my Department; I do not receive a lot of correspondence from him. Nonetheless, I do not accept the Member's assertion. The consultation is an opportunity for people in his constituency, if he is interested in feeding into a robust and strong arts and cultural strategy for 10 years.



**Mr Principal Deputy Speaker:** That ends the period of questions to the Minister of Culture, Arts and Leisure. As the next period of questions does not begin until 3.30 pm, I suggest that the House takes its ease until then.

3.30 pm

## Northern Ireland Assembly Commission

### Northern Ireland Youth Assembly

1. **Mr Lyttle** asked the Assembly Commission for an update on the Northern Ireland Youth Assembly. (AQO 9187/11-16)

**Ms P Bradley:** I thank the Member for his question. Initially, a budget of £100,000 was allocated to develop a Youth Assembly in 2014-15. However, because of financial constraints, the project was put on hold and consideration was given to other ways of engaging with young people.

The Education Service continues to work with schools and the youth sector to increase young people's understanding of the work of the Assembly and encourage their engagement with that work. Significantly, the Education Service has been working with Assembly Committees to consult young people about a range of legislation and inquiries, such as shared and integrated education, the Together: Building a United Community strategy, the Road Traffic Bills and proposals for a new law on bullying in schools.

The Education Service is further engaging young people in the work of the Assembly through its Connections project, which aims to promote dialogue between decision-makers and young people. Financed by the European funding stream, Erasmus+, the project is running between February 2015 and January 2016 and involves 36 participants aged between 16 and 18. The group will have the opportunity to deliver primary research findings to Assembly Committees in early 2016. Plans are under way to apply for further funding for similar projects involving other legislatures.

The Education Service's series of Let's Talk events around Northern Ireland brings together young people and their MLAs. In 2014-15, five such events were held, each of which involved about 100 young people from different schools and neighbouring constituencies.

**Mr Lyttle:** I thank the Member for her update and welcome the much positive work the Commission has been doing to ensure youth participation and inclusion in the Assembly process, particularly the inaugural Youth Congress that is scheduled to take place in this Assembly Chamber tomorrow. Does the Member accept that the priority for children and young people remains the Northern Ireland Youth Assembly? Would the Commission be willing to re-engage with the youth sector — the Northern Ireland Youth Forum, for example — to re-examine and refresh costings and proposals in relation to the Northern Ireland Youth Assembly?

**Ms P Bradley:** I thank the Member for his supplementary question. I wholeheartedly agree, as does the Commission, that we need to be engaging our young people with the Assembly and how we operate within it as

much as possible. I am glad he mentioned the inaugural sitting of the Northern Ireland Youth Congress tomorrow, at which I, like other Members, will be present. We should be doing everything within our power to keep that engagement with our young people.

### Parliament Buildings: Visitors

2. **Mr Lyons** asked the Assembly Commission how many people have visited Parliament Buildings in each of the last five years. (AQO 9188/11-16)

**Ms Ruane:** Gabhaim buíochas leis an gComhalta as an cheist. I thank the Member for his question. Ó Eanáir 2011 go mí Dheireadh Fómhair 2015, thug 346,156 duine cuairt ar Fhoirgnimh na Parlaiminte. From January 2011 to October 2015, the total number of people on record as having visited Parliament Buildings is 346,156.

That number represents the total number of visitors attending a diverse range of events, functions, guided tours and schools' education programmes. The Assembly does not, however, keep a record of the number of public visitors who attend plenary sessions or Committee meetings or who use the public dining facilities during recesses. The Assembly Commission will be able to provide the Member with the yearly totals for the numbers of visitors in writing, broken down into functions, functions with tours, tours with hospitality and education programmes. Indeed, if they are interested, we can provide that information to all Members.

**Mr Lyons:** I thank the Commission member for her answer. Perhaps, she will also be able to give me the totals for each year. I am sure that other Members will want to join me in commending the work that the Education Service does with young people. Most weeks since I have come to this place, I seem to be in answering questions from young people. To have the opportunity to do that is very welcome. Will the Commission join me in commending the work of the Education Service and consider what other ways we can engage with young people who come here?

**Ms Ruane:** I absolutely agree with you on the work of the Education Service. I can give you a breakdown of visitor numbers and education groups now. In 2011, there were 71,556 visitors. In 2012, there were 81,710. In 2013, there were 73,645. In 2014, there were 70,830. In 2015, which obviously has not completed yet, there have been 48,415 visitors.

For the education programmes, we had 576 groups in 2011, with 18,185 visitors. In 2012, there were 587 groups. In 2013, there were 520 groups. In 2014, there were 476 groups. In 2015 so far, there have been 393 groups. You can see the significant number of groups that have visited.

The work that the Education Service does is second to none. It provides young people from a very early age and schools right across the North with an opportunity to engage with politicians from all the different political parties. That is invaluable.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Given the recent event that was organised for the Israeli Government, students, press and various parties here, will a similar event now be organised by the Commission for the Palestinian Government to give outreach to people who are unrepresented?

**Ms Ruane:** Go raibh maith agat as an cheist sin. I thank the Member for his question.

Recently, an event was organised with 60 students from Belfast Metropolitan College and Ulster University studying communications, journalism and politics. Representatives from the Israeli embassy in London were present, as were representatives of local political parties and local media organisations. Bhíothas i dteagmháil leis an Mhisean Pailistíneach i Londain leis an dara céim den imeacht seo a reachtáil sa bhformáid chéanna. I am pleased to say that contact has been made with the Palestinian Mission in London to arrange the second leg of that event in the same format.

**Mr Cochrane-Watson:** Given the high volume of visitors to Parliament Buildings, will the Commission outline what advances have been made on the car parking situation in the past 12 months? What is proposed to ease that situation, particularly on Mondays and Tuesdays, when many people are parking down the mile in all forms of weather?

**Ms Ruane:** We have made some extra spaces available here at the Building. I will ask officials to forward the Member full details on the number of car parking spaces, including the extra ones, here and in some of the outlying car parks.

**Mr Rogers:** I think that everybody in the House agrees that the Assembly Education Service does invaluable work. How have budget cuts affected it? How is it affecting the Assembly's outreach services in particular?

**Ms Ruane:** I thank the Member for his question. We have just brought forward a new outreach and engagement strategy, the meetings on which I chaired. We are doing everything that we can to increase the number of visitors and schools coming here. All the Commission members, from every single political party, did everything in their power to protect the outreach and education budget. We will continue to try to do that.

### Parliament Buildings: Tour Content

3. **Mr McCausland** asked the Assembly Commission what reference is made during regular guided tours of Parliament Buildings to the memorials to former Members murdered by illegal paramilitary organisations. (AQO 9189/11-16)

**Ms P Bradley:** I thank the Member for his question. In the official tour script provided by the Northern Ireland Assembly tour guides, reference is made to a range of architectural features, including the statue and tomb of Lord Craigavon. Currently, no reference is made during regular public or private guided tours to the memorials to former Members murdered by paramilitary organisations. However, during public and private tours, visitors are encouraged by guides to ask questions, and they may, on occasion, ask about the wall memorials in the Senate and Assembly Chamber Rotundas.

**Mr McCausland:** In Northern Ireland, lives were taken in the course of the democratic process and people were murdered by illegal paramilitary organisations. It is part of the story of this place and part of our history. Would it not be possible to include in the tour a reference to those who died in that way?

**Ms P Bradley:** I thank the Member for his supplementary. The official tour script provided by the Northern Ireland

Assembly tour guides was approved by the Assembly Commission in 2001. I suggest to the Member that he speak to his Commission member about other issues that he might have.

**Mr Cree:** I am disappointed to hear that memorials are not explained unless someone asks. As we move into a pivotal year for centenaries, not least of Northern Ireland's sacrifice at the battle of the Somme, will the Commission seek to integrate the war memorial inside the main doors as part of the tour in future?

**Ms P Bradley:** I thank the Member for his question. Again, you need to speak to your Assembly Commission member, as that would have to be dealt with and decided on by the Commission. I understand his sentiments entirely, and I can say that I probably would support that.

### Parliament Buildings: Defibrillators

4. **Mr G Robinson** asked the Assembly Commission how many defibrillators there are in Parliament Buildings. (AQO 9190/11-16)

**Mr Gardiner:** I thank Mr Robinson for his question. There are five defibrillators in Parliament Buildings located in the following areas: the front reception, the control room, the Blue Flax, the Long Gallery and the fourth floor, south corridor. Information on the location of defibrillators is provided on AsslSt.

**Mr G Robinson:** Thanks for the answer. Can you outline the number of people trained to use defibrillators and how often their skills are updated?

**Mr Gardiner:** The Assembly Commission is committed to ensuring that there is a positive health and safety culture throughout the organisation, and there are 18 staff trained in the use of defibrillators.

**Mrs Dobson:** I commend the Member on his comprehensive answers so far. Given their importance, are there any plans to train additional staff in the use of defibrillators?

**Mr Gardiner:** I thank Mrs Dobson for her question. There are no plans to train any additional secretariat staff in the use of defibrillators, as the number of fully trained operatives is considered sufficient for the number of defibrillators in the Building.

**Mrs McKevitt:** I thank the Member for his answers thus far. Given the importance of defibrillators and the statistics on their use, has the Commission any plans to introduce training for Members of the Assembly in their use, as nobody knows the day and hour that one of us could use that life-saving skill?

**Mr Gardiner:** I thank the Member for her question. To date, there has been no request to use defibrillators in Parliament Buildings. They are, however, tested weekly to ensure that they are fully operational.

### Act of Remembrance 2015

5. **Mr Allister** asked the Assembly Commission what role it had in and what knowledge it had of the format and content of the Assembly remembrance event in Parliament Buildings on 11 November 2015. (AQO 9191/11-16)

**Mrs Cochrane:** I thank the Member for his question. The Assembly Commission had no role in or knowledge of the

format of the act of remembrance held in the Great Hall on 11 November. As in other parliamentary institutions, the Speaker, in his representational role, determines the arrangements for keynote events that the Speaker hosts on behalf of the Assembly. As was the case under previous Speakers, the Assembly Commission is not involved in either these or in other events that the Speaker organises through his office. I am aware that the Speaker issued a very considered letter to all Members, and I refer the Member to it.

**Mr Allister:** If the Speaker cannot be trusted to retain the national anthem as an integral part of the remembrance service, as evidenced by his disgraceful but, happily, failed attempt to obliterate the national anthem on 11 November, is it not time that the Assembly Commission considered taking over this event or exercising the necessary control to ensure that such attempts to obliterate the national anthem will not occur again?

3.45 pm

**Mrs Cochrane:** I thank the Member for his supplementary question. It would not be appropriate for the Commission to seek to take on an event that has previously been organised by the Speaker without the Speaker's request that it do so. The Member may or may not be aware that the Royal British Legion has not said that the national anthem needs to be an integral part of such an event. I understand, though, that the Speaker engaged with the Royal British Legion and, as a result, ensured that the Armistice Day event was held on 11 November and that it was in the Great Hall in order to allow more people to attend than in previous years. I think that it will be for the next Speaker, in the next Assembly, to take the arrangements forward, but Members should take up the offer of the current Speaker to engage on the issue to ensure that future events are as open and inclusive as possible.

**Mrs Overend:** Does the commissioner appreciate that the Speaker's decision to remove the national anthem had, ultimately, the opposite effect of his supposed effort to make it less delicate?

**Mrs Cochrane:** I thank the Member for her question. I think that it is true that the Commission's focus, through its engagement strategy, is to encourage people into the Building and to participate in events. There are no definitive records, but we believe that this year's remembrance event had a record attendance. The Commission very much welcomes that outcome and the inclusive approach that the Speaker has outlined.

**Mr Dallat:** As a mere Deputy Speaker in this august body, may I ask Mrs Cochrane if she agrees that it is always rewarding when you manage to get all political parties involved and leave an event open so that all members of staff can attend?

**Mrs Cochrane:** Yes, I agree with the Deputy Speaker.

**Mr Dunne:** I thank the Member for her answers. Can the Member explain why the service was changed from a service to an act of remembrance, contrary to what happens across the rest of the United Kingdom?

**Mrs Cochrane:** I thank the Member for his question. As I said, the Commission was not involved in the arrangements, so all that I can go by is the Speaker's letter, which made it very clear that he was not continuing

with the previous event or service, as you might refer to it, which had stemmed from when the Civil Service was the main occupant of the Building. The Speaker indicated that he was instead building on the format of the event that he had led in the Great Hall in 2014 when he was Principal Deputy Speaker. Like that event, this year's event had no music.

## Gender Action Plan: Update

6. **Mrs Cameron** asked the Assembly Commission for an update on the gender action plan. (AQO 9192/11-16)

**Ms P Bradley:** I thank the Member for her question. A draft gender action plan for secretariat staff has been developed by the gender action plan working group, which comprises senior staff from across the Assembly. The draft action plan sets out a range of actions and measures to promote gender equality in the Assembly secretariat. It is a cross-directorate plan that covers the entire organisation for the two-year period 2016-18. The action plan also supports the Assembly in complying with its section 75 duties.

The Assembly Commission considered the draft plan at its meeting on 4 November 2015 and has approved it for staff consultation. The action plan was issued for consultation on 12 November 2015. The consultation will close on Friday 8 January 2016. A copy of the draft action plan has been sent to the Equality Commission for comment. The draft action plan is available on the Assembly intranet.

**Mrs Cameron:** I thank the Member for that answer. Will the findings of the AERC's review of women in politics and the Northern Ireland Assembly link into the secretariat gender action plan?

**Ms P Bradley:** I thank the Member for her supplementary. The secretariat gender action plan working group has considered the findings and research of the Assembly and Executive Review Committee's review of women in politics and the Northern Ireland Assembly to identify any overlapping issues, specifically where such issues may affect secretariat staff. The gender action implementation group will continue to follow progress on the AERC review, and the action plan contains a specific action to bring AERC recommendations to the women in politics working group and advise the gender action plan implementation group of any potential impact on secretariat staff.

**Mr Principal Deputy Speaker:** Mr Basil McCrea is not in his place.

## Outsourced Services

8. **Mr Hilditch** asked the Assembly Commission what plans it has to outsource services. (AQO 9194/11-16)

**Mrs Cochrane:** I thank the Member for his question. At the meeting of 24 June 2015, the Assembly Commission noted the commitment in the Stormont House Agreement to seek to extend the use of Northern Ireland Civil Service shared services across the wider public sector.

Naturally, the Assembly Commission is not part of the Northern Ireland Civil Service (NICS), nor was it a party to the Stormont House Agreement, but it agreed that it would consider whether any of its present business activities could be better delivered through a shared services approach.

Over the summer months, a series of meetings took place with shared services providers in the Civil Service, most notably in the fields of IT, human resources and finance. Assembly secretariat officials will bring fully worked business cases on options for the future delivery of services to the Commission through the current in-house arrangements or through an NICS shared services approach.

The Commission has no plans at present for the further outsourcing of services to the private sector.

**Mr Hilditch:** I thank Mrs Cochrane for her detailed answer. Can she tell me what is currently outsourced?

**Mrs Cochrane:** I thank the Member for his supplementary. The Commission uses private sector providers for catering and support services, broadcasting, some aspects of building maintenance and printing. The Commission also receives a wide range of services from the public sector, including policing, Central Procurement Directorate services, waste management services, stationery and office supplies, welfare and occupational health services and certain software supplies services.

### Parliament Buildings: Good Cause Lighting

9. **Mr McCarthy** asked the Assembly Commission what progress has been made in allocating dates for the lighting up of Parliament Buildings in support of good causes. (AQO 9195/11-16)

**Mr Gardiner:** I thank the Member for his question. At the meeting on 11 November 2014, the Assembly Commission agreed the policy for the external lighting of Parliament Buildings in order to manage the lighting of the Building on designated occasions whilst preserving the dignity of Parliament Buildings.

In line with the policy, the Commission scheduled up to four days during the calendar year for events of its choice. The four days chosen by the Assembly Commission for 2015 were Monday 9 March, International Women's Day, when the Building was purple; on Tuesday 17 March, St Patrick's Day, it was green; on Sunday 12 July, it was orange; and, on Wednesday 11 November, Remembrance Day, it was red. In line with the policy, the Assembly Commission also allows its charity of the year up to five days during its 12-month term, as well as granting up to a further eight days for other events during the calendar year.

**Mr McCarthy:** I am very grateful to the Member for his response. Can he outline the process by which the Assembly decides between the various applications and how it communicates those decisions to groups?

**Mr Gardiner:** In line with the policy, only events organised at Parliament Buildings or DFP-approved events within the Stormont Estate have access to the lighting system. Only charitable community or non-profit organisations that are based in or have a significant connection to Northern Ireland and are celebrating a significant anniversary, such as their first, fifth, tenth, twenty-fifth or fiftieth, may, on occasions, be permitted to have Parliament Buildings illuminated in a special colour.

**Mr Humphrey:** I thank the Commission member for his answer. Further to the communication of the dates on which the Building is lit up, other Members may have been approached, as I was, about it being lit up in the colours of

the French tricolour after the appalling massacre in Paris recently. It is important that the message gets out to the public that there was no response because the system currently does not allow for the Building to be lit up in three colours. Will the new system allow that to happen?

**Mr Gardiner:** That will be a matter for the Commission to look at. Hopefully, it will meet with your requirements.

**Mr Maskey:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the Member assure the House that all requests are considered equally, including events such as Pride?

**Mr Gardiner:** The answer is quick and short; yes.

### Parliament Buildings: Flag Security Breach

10. **Mr Dunne** asked the Assembly Commission for an update on the investigation into the security breach in June 2015 that resulted in the unauthorised flying of a flag on Parliament Buildings. (AQO 9196/11-16)

**Ms Ruane:** Go raibh maith agat. Gabhaim buíochas leis an gComhalta as an cheist. I thank the Member for his question. I ndiaidh ardú na mbratacha ar 3ú Meitheamh 2015, chríochnaigh Seirbhís Póilíneachta Thuaisceart Éireann a n-imscrúdú thart faoi 15ú de mhí Meán Fómhair 2015. Ach, ainneoin fiosrúcháin a dhéanamh, ní dhearnadh duine ar bith freagrach as. Following the unauthorised flying of the Irish national flag on 3 June 2015, the PSNI concluded its investigation in or around 15 September 2015. However, despite enquiries, no persons have been made responsible. Dúirt siad freisin nach féidir leo an t-ábhar seo a thabhairt níos faide ag an am seo. The PSNI has indicated that it can take the matter no further at this time.

**Mr Dunne:** I thank the Member for her answer. Considering that the breach occurred in May this year, as I understand it, does the Member agree that it is important that we get to find out how such a breach occurred and that measures are put in place to stop a recurrence? I am sure that she will agree that it is important that we keep the proper flag flying here.

**Ms Ruane:** I can certainly agree with the Member that we should keep the proper flags flying. *[Laughter.]* As a member of the Assembly Commission and a representative of a significant number of MLAs, I certainly would like to see my national flag flying — the national flag that our party adheres to. Having said that, I think that, in the interests of moving forward, as an Assembly we should have either equality or neutrality. The Member will be aware that there are currently issues around flags and that there is no consensus in relation to the matter. The best way forward is that we reflect everyone's traditions or nobody's traditions.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Chomhalta as na freagraí sin. I thank the Member for those answers. Does the Assembly Commission believe that Irish citizens should be treated with equality? The Member has just said that; will she confirm it? Would the flying of the Irish national flag better reflect the Assembly and society?

**Ms Ruane:** I thank the Member. Gabhaim buíochas leis an gComhalta as an cheist sin agus aontaím léithi. Speaking as a member of the Assembly Commission, I should



say that it has failed to reach consensus on flags. As a member of the Assembly Commission, I would like to see that all our traditions and nationalities are respected. As an Irish republican, I would like to see my flag represented, or we should have a neutral position. It is unfair to have one tradition reflected and others not. An equality impact assessment is currently being carried out, and I hope that, in future, we will be able to ensure that all traditions are reflected. It is a question of equality or neutrality.

## Communicating in a Political World

11. **Mr McKay** asked the Assembly Commission whether the communicating in a political world event on 10 November 2015 was carried out as part of its agreed external relations strategy. (AQO 9197/11-16)

13. **Mr McElduff** asked the Assembly Commission who organised the communicating in a political world event in Parliament Buildings on 10 November 2015. (AQO 9199/11-16)

**Ms Ruane:** Le do chead, a Phríomh-Leas Cheann Comhairle, ba mhaith liom ceisteanna 11 agus 13 a fhreagairt le chéile. With your permission, Mr Principal Deputy Speaker, I would like to answer questions 11 and 13 together.

D'eagraigh feidhmeannaigh ón Stiúrthóireacht Eolais agus For-rochtana an t-imeacht cumarsáid i nDomhan polaitiúil' ar 12ú de mhí na Samhna 2015. Officials from the information and outreach directorate organised the communicating in a political world event on 10 November 2015.

As I said in an earlier answer, the event was attended by 60 students from Belfast Metropolitan College and Ulster University. The speakers at the event included the spokesperson of the embassy of Israel in London, representatives of the various political parties and representatives of local media organisations. The Member will be aware from my previous answer that contact has been made with the Palestinian Mission in London to arrange the second leg of this event in the same format.

4.00 pm

**Mr Principal Deputy Speaker:** Time is up. I ask Members to take their ease while we change the top Table.

**Mr Beggs:** On a point of order, Mr Principal Deputy Speaker. I apologise for my absence during Question Time. Questions proceeded faster than I had anticipated.

**Mr Principal Deputy Speaker:** I am sure that the Speaker will note that.

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

Motion made:

That the Assembly do now adjourn. —  
[Mr Deputy Speaker (Mr Dallat).]

## Adjournment

### Care of Older People: Mid Ulster

**Mr Deputy Speaker (Mr Dallat):** The proposer of the topic will have 15 minutes, and all other Members who speak will have approximately eight minutes.

**Mrs Overend:** I am grateful for the opportunity to bring this Adjournment debate to the House, especially on this important issue: care of older people in Mid Ulster. Indeed, I want to thank colleagues for their grace in allowing me to move the debate to today following the passing of my grandmother a fortnight ago. While the topic was not raised with my grandmother in mind, the care that she received both at home from her family members and from a great team of domiciliary carers, who called at her home regularly, certainly informed me of many issues and concerns on this matter.

Our older people are some of the most vulnerable people, both in Mid Ulster and throughout Northern Ireland. Some are cared for in residential homes, some by carers and some by family members. We have all been made aware of the problems faced by older people, especially through the stories of those who have come into our constituency offices. The patients for whom Westlands care home in Cookstown is their home, like so many others in so many other statutory care homes across Northern Ireland, know all too well about the impending closures and what that will mean for them. I presented a petition to one of the Minister's predecessors in July 2013, signed by almost 5,000 people from Mid Ulster who called on him not to close Westlands care home. The following consultation on care home provision in the Northern Health and Social Care Trust has closed for responses, but I wonder if those responses will make any difference to the outcome for residents who call places like Westlands home.

I was disappointed that the Minister refused to meet me on this issue. It would have been an opportunity to discuss the concerns of people in the area and the reality on the ground. We know that he was consulting to make Westlands care home into a community hub, despite much protest against that. I wonder whether that idea is going ahead following this consultation. If so, what exactly will that entail? How will that continue to help the older people in Mid Ulster? Those are questions that remain unanswered.

The problems are not confined to residential care homes under the control of the Minister. No, care homes in the private sector are also crying out for help due to a lack of nursing staff being trained, which is causing them great difficulties. Indeed, in the news this afternoon, we heard of seven care homes closing across Northern Ireland.

As the managing director of one private care home in Mid Ulster who contacted me said:

*"There are critical shortfalls [in nursing staff] and unless this is made a priority by the Assembly in terms*

*of future planning and funding, it will undoubtedly result in a much greater crisis."*

One would imagine that, with the crisis threatening to develop further, the Minister would seek to address the problem by working with Executive colleagues to find a solution. When I asked the Minister in a question for written answer to detail discussions that he had with the Employment Minister regarding the number of nursing places at universities and colleges, he stated:

*"Responsibility for the commissioning of student nursing places in Northern Ireland is entirely a matter for my Department therefore no discussions have taken place with the Minister for Employment and Learning."*

The Health Minister, therefore, admits sole responsibility for the lack of numbers and student nurses coming through.

The problem is also being felt in the domiciliary care sector, where there is a severe lack of care staff to fulfil the needs of older people throughout Mid Ulster. The Commissioner for Older People for Northern Ireland recently published a report on 'Domiciliary Care in Northern Ireland'. In the report, she noted:

*"there are high levels of inconsistency in the planning and delivery of services across Northern Ireland."*

She also noted that receiving good quality domiciliary care in Northern Ireland has become a "postcode lottery".

I have been contacted by many people whose families are being stretched to the absolute limit in their care for elderly and vulnerable family members. The Minister and his predecessors have continued with the policy of closing care homes across Northern Ireland, stating that older people staying in their own homes will ensure that they can retain their independence of living and receive care in a familiar and comfortable environment. I can certainly feel for that idea. In the report, the commissioner describes it as the "lynchpin of Transforming Your Care", noting:

*"it is imperative that adequate support and resources are allocated and protected to plan, design, commission and provide high quality care in the home for older people."*

However, as the Minister closes care homes in Mid Ulster, and as more and more people will now need specialist care in their own homes, he has failed to ensure that proper domiciliary care provision has been put in place.

One case that I have been dealing with through my constituency office concerns a lady who has been fighting to secure a care package for her uncle, who suffers from Alzheimer's and who requires multiple care visits per day. She has been fighting for that care package for over a year — that is 12 months in which she and her family have been stretched to their limits because the trust and the Department have been unable to find a suitable care package for her uncle. This state of affairs is simply not good enough.

Where carers and care packages are put in place, the carers are being stretched thin on the ground. However, that is hardly surprising when there are not enough care staff employed to cover the needs of older people in need in Mid Ulster. I have had discussions with district

nurses and carers who have concerns over the levels of mileage paid for the journeys to and from patients and the difficulties faced by those who travel from one edge of the constituency to the other. The rural nature of Mid Ulster only exacerbates the problems felt by those carers and puts more pressure on the industry.

In the report, the Commissioner for Older People pointed out:

*"The work they do is physically and emotionally demanding ... If high quality care is to be available at home for older people who need it, work must begin to address workforce issues to pay, support and enable people to provide this care."*

I know from personal experience that these carers provide an excellent and necessary service to many people in Mid Ulster, and they must be given the resources and support to carry out their important work. The Minister is closing care homes under his control, leaving many older people with an uncertain future. He is not training enough nurses to staff private care homes and to provide domiciliary care packages, leaving older people without the care that they will need, now and in the future.

It certainly seems that the Health Minister's policies are not effective and he is failing older people in Mid Ulster and across Northern Ireland. Those are the people who need care and stability the most. I feel that it is not good enough. I appreciate the Minister's presence here this afternoon and I am keen to hear how he plans to rectify those problems and ensure that the older people of Mid Ulster are given the care that they so desperately need.

**Mr I McCrea:** First, I welcome the opportunity to speak in this debate. I thank Mrs Overend for returning to the debate after the sudden passing of her grandmother. At the wake, I expressed my deepest sympathy to you and your family circle, and I do so again. I know that it was a shock. You spoke of the care that your grandmother got at home. Many older people and their families feel the benefit of getting that care and being able to spend those last moments at home with their loved ones. Many people would prefer that, rather than being in a home. I know that that was appreciated and, having spoken to some of your family members, I know the importance that they felt of having your grandmother at home.

When we look at the wider care of elderly people in the Mid Ulster constituency, it is important to put on record that excellent work is done by many staff who work in residential care or nursing homes across the constituency and across Northern Ireland in caring for our older people. Having spoken to many families who have loved ones and having worked alongside them to ensure that they got into the right care home, I know that they greatly appreciate the work and help that their loved ones received.

I suppose that a lot of this debate will be around the Westlands residential home. I join Mrs Overend in speaking positively about the excellent job that those staff do in looking after the residents. It is disappointing that the debate has got to the point where we are lambasting a DUP Health Minister for decisions and policies with no reference whatsoever to the fact that it was a DUP Minister, Edwin Poots, who stopped the decision to close the Westlands home as well as the other homes across

Northern Ireland, and it was a DUP Minister, Simon Hamilton, who ensured that that decision did not continue.

I apologise for using my mobile phone, Mr Deputy Speaker, but it is just for the sake of today's BBC news. It is not often that I give the BBC a plug. I welcome today's announcement by the Health Minister that a number of statutory care homes that may have been facing closure have been given a reprieve due to the problems faced by a private care home firm. The Minister has, once again, stepped in and given further assurance to those care homes that have been under threat that he is stopping that, reviewing it and ensuring that no one is put in any difficult circumstances.

Having spoken to the Minister about previous decisions and since he made this one today, I know that it is not the case, as others would try to say, that this is just putting off a decision. There is a genuine desire to ensure that no one is put out of their home. As Mrs Overend rightly said, for Westlands, many of those who are left feel that it is their home. I commend the Minister for that recent decision. When he responds, maybe he will put some meat on the bones regarding his decision. I welcome the steps that DUP Ministers have taken. I believe that that sends out a positive message to the residents and staff in Westlands and, I hope, cements that for — I cannot say how long — the short to medium term if not into the long term.

#### 4.15 pm

I believe that the Minister is genuine when he says that no current resident of Westlands will be asked to leave. That was a very positive announcement in the past and is a very positive decision that the Minister has now taken. Different things always come down the road at us, but in respect of the decision by —

**Mrs Overend:** Will the Member give way on that issue?

**Mr I McCrea:** I will give way.

**Mrs Overend:** I welcome the Member saying that the Minister is giving a reprieve to some of those care homes, and I look forward to the detail on that. However, does the Member agree that the Minister should lift the non-admissions policy for the statutory care homes that are still here?

**Mr I McCrea:** I was just about to come to that. The Minister and previous Ministers will know that I do not always agree with every decision that is taken. I welcome this decision and believe that it gives us an opportunity. On the back of the unfortunate circumstances for the private care home, the Minister has now announced that he is reviewing the decision that he might have taken. I do not know where he is on that point, but he now has an opportunity to look at admissions, whether full admissions or from a respite perspective. I have no difficulty joining the Member in encouraging, if not asking, the Minister to look again at that policy, specifically for the Westlands home.

I look forward to hearing what other contributors have to say, but I hope that the Minister can put some more meat on the bones, certainly for what it means for Mid Ulster and for Westlands.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. I thank Mrs Overend for securing the Adjournment debate. I also extend my sincere condolences to you and your family on the recent death of your grandmother.

We live with an ageing population. That is great news for all of us, but it also presents a number of challenges for older people and society as a whole if we are to make the process of growing older as positive and inclusive as possible. According to the 2011 census, almost 18,500 people in Mid Ulster were over the age of 65, and that figure is, thankfully, predicted to rise.

The key barriers for older people are well documented and include poverty, loneliness, fear of crime, ageism, poor health and access to services. Those factors are no different for older people in Mid Ulster, but the largely rural demographic of the constituency can intensify many of those issues. Older people in rural areas can feel very isolated. Limited access to public transport can prevent those who want or need to do so from accessing recreational, medical or other essential services, and severe weather conditions can leave them feeling extremely vulnerable. The impact of social isolation and loneliness on an individual's mental and physical well-being cannot be overestimated, and lack of contact can make it more difficult to identify and assist those in need.

I want to use this opportunity to commend our Minister Michelle O'Neill and her Department for the ongoing work in the tackling rural poverty and social inclusion (TRPSI) framework. That is implementing a package of measures to help to address a range of issues for vulnerable rural groups, including older people, right across the North. Successful initiatives that have benefited our older population in Mid Ulster include the connecting elderly rural isolated (CERI) programme, which aims to address social isolation and support independent living, the assisted rural travel scheme, and the maximising access in rural areas (MARA) project, which seeks to maximise benefit uptake and access to services.

There is plenty still to be done, but the recent review showed that a significant impact has been made. I acknowledge the contributions of the Rural Community Network and the Cookstown and Western Shores Area Network to that review.

Not all difficulties faced by older people in Mid Ulster are related to rural locations and can be addressed by this programme. Over the last number of years, the ability to access full entitlement to care packages has diminished, with options such as direct payments being offered on a more regular basis.

The focus on care in the community and increased demand on the service has led to shorter time slots, domiciliary care workers under increased pressure and many families feeling unsupported by the trust when an elderly relative leaves hospital. That needs to be addressed as a matter of urgency, and I met the health trust again recently to raise that issue. The option of nursing care leads to the worry of losing the family home, which is another issue that needs wider discussion.

The proposal to close residential homes has impacted on Mid Ulster and caused a lot of anxiety and worry for residents and families. The campaign to save Westlands care home continues, and I offer the residents and union organisers my full support.

On a personal note, I had several meetings with the Housing Executive to highlight the need for increased provision of sheltered housing for those who wish to avail themselves of that option. I have campaigned for a

companionship service for carers of dementia patients using public transport.

I want to use this opportunity to acknowledge the many groups working to address these concerns and enhance the experience of our older population.

**Mr I McCrea:** I am sure that the Member is, like others, aware that an event was held last week by Fold Housing Association in respect of the 58 homes that it is developing in Cookstown. Will the Member join me in welcoming that, given his point in respect of that type of accommodation? Will he join me in welcoming those much-needed homes? Hopefully, we will be able to accommodate some of our elderly population in them. Will he join me in welcoming that?

**Mr Milne:** I thank the Member for his intervention, and I do welcome that. Anything that assists our elderly population there has to be welcome.

I acknowledge the community and voluntary sector, which runs a number of successful projects in local areas. I recently met Agewell, based in Magherafelt, which provides an invaluable “good morning” service that reassures people that they will be contacted daily, as well as providing a home maintenance and advice service, and I am aware of other local groups, such as Opportunities for Older People and the Mid Ulster Senior Network, to name a few that also do excellent work in this sector.

As an Assembly, we need to continue to break down barriers, listen to the needs and expectations of people advancing in years, and provide the necessary support to the community and voluntary sector, which provides a large portion of the on-the-ground service delivery. Again, I thank the Member for bringing this Adjournment debate.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Thanks very much, Mr Deputy Speaker. I thank Mrs Overend for bringing the motion, and I extend my personal and sincere sympathy to her and her extended family on the passing of her grandmother. Grandparents in particular can be a close and integral part of any family, so I am very sorry about that, Sandra.

I welcome the opportunity to speak in the debate, although it is a difficult subject to speak on. It is a debate that is not only worrying but disheartening at times. Today, I hope I can give voice to not only the elderly people of Mid Ulster but their families.

In Mid Ulster, as was said, we have felt the ongoing reduction of our health services and further closure of several residential care homes. Some of that has been abated. I have to say that the previous Minister did stand by his word and did that. However, there are pressures on local health provision, and that has created uncertainty amongst older people and their families. However, I pay particular tribute to the carers who look after them, often in very difficult and trying circumstances.

Just today, we heard the news that seven residential care homes are being closed by Four Seasons, right across the North. Indeed, Mr Deputy Speaker, one of them is in your constituency. I realise that the Minister has delayed the consultation on residential care home provision, but I ask him to give clear, unequivocal assurances that places will be found ASAP for people in those homes and that they and their families are not left high and dry. That would really put pressures on people.

Yes, we have the outlook of cutbacks on domiciliary care packages, but I have to say that I have encountered an increasing problem that does not involve cutbacks. In many cases that I have encountered where difficulties arise, resources and finance are there, but the carers — usually for private care — cannot be found. They cannot find people or employees, and that is becoming an intractable problem. People who are ready for discharge from hospital and taking up a hospital bed cannot return home because carers are not there to provide the care package to support them in their own home. That is becoming an intractable problem. You have only to do the maths. I am sure that the Minister, with both his financial accounting hat on and the facts that he has at his fingertips, will be able to outline how much a hospital bed and a care package costs health and social services per day. It is a no-brainer. The sooner we get people out of hospitals, the cheaper it is and the more applicable it is to others who deserve care in hospital.

We have significant reservations about the continual closure of residential care homes across the North when we do not have sufficient funding for home care services. A key aspect of Transforming Your Care was aimed at seeing our home care services properly funded and resourced. Funding and provision for that manpower and womanpower in home care settings is very important if we are to transform your care at all.

In September, the people of Cookstown stood alongside the staff of Westlands Residential Home to demonstrate against the closure of that institution. Westlands, which many MLAs have already said, has faced tremendous adversity over the years, yet staff and residents have remained firm in their support of the home and the people cared for in it.

At Stormont, a similar protest occurred, with about 200 care-home residents, relatives and trades unionists protesting on the steps outside Parliament Buildings. I, like others, stood alongside them and heard stories of how valuable residential care remains; how it factors into the lives of so many people; how the staff show support and dedication; and how they help to rebuild and support the lives of residents and their families.

When it comes to health concerns, my constituency office primarily deals with fears about the provision, or lack of provision, of home care packages, as I have outlined. Home care for the people of Cookstown, Magherafelt, south Derry, east Tyrone and, indeed, all the rural areas surrounding, remains definitely the preferred option. Care packages allow older people to live as independently as possible, for as long as possible, in the setting that they prefer: their own home. Put simply, home-care domiciliary packages allow for the provision of healthcare to the housebound and disabled; it takes away, or helps to alleviate, some of the strain and stress of travelling for many people. The SDLP believes that older people deserve a high-quality, well-funded service from care workers who are properly trained, committed and rewarded for the complex care that they provide to patients at home.

I recognise that the Health Minister must make difficult decisions in an uncertain economic climate, but, in the light of figures that suggest that there will be a 69% growth in the population aged over 75, it is only natural to be concerned about any major change to the delivery of domiciliary care in Mid Ulster or, indeed, across the North.



Northern Ireland's ageing population requires new approaches that accommodate older people and do not invalidate them as citizens. Financial responsibility is crucial, but to focus entirely on strict financial controls and cuts is to lose sight of the reality of patient and community needs.

#### 4.30 pm

I go back to my point: the longer someone who is fit for discharge is in a hospital bed, the greater the backlog of people who require those hospital beds and the smaller the chance of that person being looked after properly, and adequately cared for, in their home environment as a citizen. We need to bolster care in the community to reduce pressures, and strategies for the wider health service must be based fundamentally on patient needs and not exclusively on the financial bottom line. People in Mid Ulster and, arguably, all of Northern Ireland need clarity. If the Health Department remains committed to the ideals of Transforming Your Care, we must see continued support for domiciliary care packages. If, however, the ideals of the health service have shifted, local residential care must be supported.

The people of Mid Ulster — indeed, the people of the North — do not deserve half measures. I support the motion and, again, thank Mrs Overend for introducing it.

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** I begin by joining others in passing on my condolences to Mrs Overend and her family on the recent loss of her grandmother.

I thank her for proposing the Adjournment debate. I have listened to the range of views expressed by Members — the hardy few who are in the Chamber at this time — and I will do my best to respond to most of the issues raised. I would also like to take the opportunity to outline and highlight some of the work being undertaken by my Department, the Health and Social Care Board and the trusts to provide care for older people across Northern Ireland.

The continuing growth in demand for services for our older people should not be and is not underestimated by my Department, and I believe that we are taking steps through Transforming Your Care and other initiatives to provide and improve those services. The growth in demand was also one of the main reasons why I recently outlined the need to significantly reform our health and social care system

It is widely recognised that Northern Ireland, like many other countries, has an ageing population, something that is very good. Projections from the Northern Ireland Statistics and Research Agency (NISRA) indicate that the population aged 65 and over will increase by 26% — 71,000 people — by 2022. While, of course, it is a significant achievement that people live longer than ever before, it is essential that government in Northern Ireland faces up to the challenges presented by an ageing population.

The process of reform to meet the challenges confronting the provision of health and social care in Northern Ireland did not start with Transforming Your Care. However, TYC identified in a single comprehensive document the serious pressures facing the health and social care system going forward. The review set out a very strong case for change, recognising that no change was simply not an option, and made proposals on where service changes would have most impact on those challenges.

TYC made the case that preventative approaches can deliver better outcomes and set proposals on supporting older people, including home as the hub of care for older people, with more services being provided at home and in the community; a major reduction in statutory residential accommodation for older people as a result of a focus on promoting healthy ageing, individual resilience and independence; and a diverse choice of provision to meet the needs of older people, with appropriate regulation and safeguards to ensure quality and protect the vulnerable.

Despite the financial pressures that have slowed the transition to the model of care envisaged in TYC, steady progress has been made in transforming health and social care service delivery. Projects directly addressing the need for services designed to meet the needs of older people include the adoption of a regional approach to the delivery of reablement services that help people to remain independent at home for longer; reviewing domiciliary care provision, linked to the work on reablement, with the aim of providing a consistent service across Northern Ireland; and the promotion of self-directed support, which empowers service users and carers to exercise more control over their social care services by giving service users as much control as they want over their personal budget, the amount of money identified and allocated by the health and social care trust to meet their assessed needs. That enables service users to make informed choices about how and when services are provided.

We have also established 17 integrated care partnerships (ICPs), which all have agreed action plans in place as well as funding for a range of service change initiatives. The initial focus of ICPs is on frail older people and those, regardless of age, with certain long-term conditions such as stroke, diabetes and respiratory conditions. Alongside the review of care pathways, they are engaged in risk stratification work to identify patients in the priority areas — stroke, diabetes, respiratory conditions and frail elderly — who are at significant risk of poor outcomes because of their condition. That work will enable GPs to identify patients who are at risk and therefore require proactive case management to help them to manage their condition effectively and to avoid unnecessary acute admissions.

I am aware that Members have in the past and this evening raised concerns about the proposed closure of statutory residential care homes in their constituencies, including the proposed closure of the Westlands nursing home in Cookstown. Trusts have been engaging in consultations, with three already complete and two still outstanding. When concluded, those proposals are to be forwarded to the board for consideration before they come to me for a final decision. To date, none of them has made it as far as the Department. In spite of what Mrs Overend said, I have not closed any homes.

I have been increasingly concerned about a range of pressures facing the independent sector and particular problems facing one of the largest independent providers of residential care in Northern Ireland. I have been keeping developments under constant review, and, as a consequence of those growing concerns and further negative developments today regarding plans by Four Seasons Health Care to close seven homes across Northern Ireland, I am asking the Health and Social Care Board to halt and review the proposed closures of statutory residential care homes. Given that many of the proposals

are predicated on spare local capacity in the independent sector, it is only right and proper to pause, reflect and give careful consideration to issues arising in the independent sector.

Mr McGlone raised issues around the 250 or so people who would be affected, never mind the 300 or more staff who would be affected. However, he raised particular concern about what would happen to the residents in the seven homes that are proposed for closure. The board is working closely with my colleagues in the Department, the RQIA and the health and social care trusts. They are working together and will continue to work closely with Four Seasons to ensure that there is regional and local coordination in managing the process of moving people away from the homes that are earmarked for closure.

I also want to put it on the record that the continued well-being of residents will be the priority in dealing with any future transition to alternative care arrangements. The intention is to ensure that any relocation will be managed with minimal disruption to them, that they are able to remain as close to the original location as possible and that there will be no additional financial implications created by the move. All the organisations that I mentioned, including the owner of the homes involved, are committed to ensuring that there is clear, regular communication with residents and their representatives to address any concerns that may arise. I assure the Member and the House that, as Minister, I will, as far as I can in respect of a decision made by a private company, ensure that that is done as well as is possible.

Recently, the outgoing Commissioner for Older People highlighted her concerns about the domiciliary care sector at the Health Committee and in her report 'Domiciliary Care in Northern Ireland'. First, I assure Members that my Department is committed to providing a high-quality domiciliary care service to support our older people to remain in their homes. Although I was disappointed by the way in which the report was published, it is, as we have discussed today, clearly a crucial area. The Department recognises that the domiciliary care sector faces significant challenges, as so many sectors do. To address those issues, the Health and Social Care Board has published its report entitled 'A Managed Change: An Agenda for Creating a Sustainable Basis for Domiciliary Care in Northern Ireland'. It is intended that the review will shape the future of domiciliary care provision, taking into account the financial and other challenges facing the sector. My officials, in conjunction with colleagues in the board, are reviewing both reports, and I look forward to receiving their recommendations on the way forward.

My Department is aware that the independent sector providers are experiencing recruitment and retention difficulties as their need for registered nurses increases to meet the needs of a growing complexity of care in the sector. The Department recently completed a nursing and midwifery workforce review that included the independent, voluntary and private sectors, and officials are considering its implementation. It highlights evidence of a global shortage of nurses at present and emphasises the need to retain newly qualified nurses to work in Northern Ireland. One of the recommendations of the workforce review is that all employers review their recruitment processes and work to make their organisations employers of choice to encourage the retention and recruitment of nurses.

A number of initiatives outlined in the workforce review are being considered to support the independent sector. A career pathway for nursing and midwifery in Northern Ireland has been developed and is intended to encourage nurses to see Northern Ireland as a place of opportunity. It has a section devoted to the independent sector.

In conclusion, I thank everyone for their contribution. I hope that Members can see from what I have said that, as Minister, I am aware of the concerns not just of those who are present today but of our older people and the people who care for them, whether they are family or friends or professional health and social care staff. I am also aware of the pressures, financial and other, on our statutory bodies and the independent sector, which provide important, valuable and professional services to our older people. Finally, I put on record my appreciation to everyone who provides support and assistance to our older community, as, without their dedication, a lot of our older people would be worse off.

*Adjourned at 4.41 pm.*

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# Northern Ireland Assembly

Monday 30 November 2015

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

*Members observed two minutes' silence.*

## Assembly Business

### Standing Orders 10(2) to 10(4): Suspension

**Mr Speaker:** Thank you, Members. Sorry about the slight delay. We just had some amendments to make to the pack.

**Mr Dickson:** I beg to move

*That Standing Orders 10(2) to 10(4) be suspended for 30 November 2015.*

**Mr Speaker:** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Orders 10(2) to 10(4) be suspended for 30 November 2015.*

### Committee Membership

**Mr Speaker:** As with similar motions, this will be treated as a business motion and there will be no debate.

*Resolved:*

*That Mr Danny Kennedy replace Mr Neil Somerville as a member of the Committee for Justice. — [Mr Swann.]*

**Mr Speaker:** The next item on the Order Paper is another 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 Claire Hanna replace Mr Colum Eastwood as a member of the Committee for the Environment. — [Mrs McKevitt.]*

## Ministerial Statement

### Subregional Stadia Programme for Soccer

**Ms Ni Chuilín (The Minister of Culture, Arts and Leisure):** Go raibh maith agat, a Cheann Comhairle. It would be remiss of me not to start by congratulating Tyson Fury on becoming a world boxing champion. Comhghairdeas.

I am very pleased to announce the launch of the consultation on the subregional stadia programme for soccer. This Executive-agreed programme aims to meet the strategic needs of football. On 10 March 2011, the Executive endorsed an investment of circa £36 million to develop subregional football across the North of Ireland. It was agreed that this would be taken forward as a priority area of spend in the next CSR period. The Executive endorsement was based on input received from the sector in 2011 on potential actions needed to meet the strategic needs of football.

The consultation document has been developed to reflect priorities outlined in a draft paper prepared by the IFA in 2011. Today's launch takes into account those priorities, as well as subsequent needs that have emerged in soccer since then, by providing an opportunity over the next 12 weeks for everyone's input before the programme is finalised. To align the subregional programme for soccer consultation with priorities agreed by the Executive in 2011, the programme has been divided into five distinct strands.

Strand 1 is safe stadia. The purpose of this strand is to provide funding for safe stadia capable of hosting high-level competition matches with a capacity of circa 6,000 to 8,000 persons. Redevelopment of the Oval, in partnership with Glentoran Football Club, is proposed. A budget of circa £10 million will be made available for this strand.

Strand 2 relates to significant subregional stadia. The purpose of this strand is to provide subregional stadia that can sit at the hub of key communities. They would offer quality football and community facilities that bring revenues for the club tenants, making football in these areas more sustainable. This strand will be open only to venues designated under the Safety of Sports Grounds Order 2006. A challenge fund principle will apply to the allocation of funding. A budget of circa £17 million will be made available for this strand, with a maximum award of £3 million available per venue.

Strand 3 concerns IFA Championship clubs. The purpose of this strand is to provide funding to improve safety provision at soccer venues. Strand 3 will be open to all venues not designated under the Safety at Sports

Grounds Order. A challenge fund principle will apply to the allocation of funding. A budget of circa £3 million will be made available for this strand, with a maximum award of £500,000 available per venue.

Stand 4 is the provision of a national training centre. The purpose of this strand is to provide funding towards the creation of a purpose-built flagship national training centre to support current talent and nurture future generations. A budget of circa £3 million will be made available for this strand.

Strand 5 is intermediate and junior football. The purpose of this strand is to provide funding, via targeted programmes in partnerships with local councils, schools and colleges, to deliver key sporting centres in local communities at an intermediate and junior level. A budget of circa £3 million will be made available for this strand.

The consultation document proposes that all applicant organisations must meet core criteria. Those include demonstrating ownership of the venue through freehold ownership or leasehold that provides a minimum of 10 or 21 years' security of tenure, depending on the scope of works or value of the award. Applicants must demonstrate that they are properly constituted by means of a constitution or memorandum and articles of association that provide for equality of opportunity, not-for-profit status, child protection and management input from users. Applicants must be viable and solvent. In the absence of operational viability, only applicants that can meet the security of tenure requirements will be deemed eligible. The venue must be located in the North of Ireland, and the project must, in the main, benefit the inhabitants of the North of Ireland. Applicant organisations must also meet specific eligibility criteria, depending on which strand of funding they apply for. Those relate to size and capacity, designation under safety at sports grounds legislation, partnership working arrangements and affiliation. So the applicant must be an IFA-affiliated club or non-IFA-affiliated club with grounds located in the North of Ireland that hosts NIFL, IFA, UEFA or League of Ireland fixtures.

In addition, for a project to be considered eligible, applicants must clearly demonstrate: the project is a capital one, which, for the purposes of this programme, is defined as expenditure associated with the purchase, improvement, construction or creation of an asset and includes any costs directly incurred in that process; the project is fit for purpose, well designed and of high quality; the project is viable in the capital funding package required; the project is for the benefit of the soccer fraternity in the North of Ireland; the project will improve facility provision at soccer venues as per the IFA's 2011 draft facilities document; the applicant organisation has not committed itself by purchase, contract or other binding agreement before receiving an offer of award and permission to proceed from DCAL; and the project builds on existing resources and is in addition to existing or planned investment by statutory bodies or the owner of the facility. In addition, the project cannot be a replacement or upgrade to a project that has been funded through public-sector investment and is still within the economic lifespan of the asset, which is 21 years for buildings and 10 years for pitches.

I am opening a consultation on the proposed strands and levels of funding for the programme and on the needs that have emerged since 2011 that are not included in the IFA's 2011 proposals. All applicants to the programme should be aware that there will be a requirement for partnership

funding. The programme will be assessed under challenge fund principles, with award recommendations based on available funding, eligibility and projects attaining a high assessment score.

The consultation documentation is available from today on the DCAL website. The consultation will run for twelve weeks from today, 30 November 2015, until 22 February 2016. In line with appropriate guidance, I sought comments from other Departments prior to the public consultation being launched. My officials will host four consultation events across the North of Ireland during that period, where stakeholders will have the opportunity to engage with departmental representatives in relation to the subregional stadia programme for soccer.

The consultation document will be made available in the form of an online survey, with additional formats available on request. The 12-week consultation will be widely publicised and open to everyone who wishes to respond. Opinions will be sought specifically from groups with a direct interest in the subregional programme for soccer as well as those on DCAL's list of consultees. DCAL's key stakeholders, including MLAs, councils and other interested parties, will be notified directly via email.

It is my aim to make the consultation on the subregional programme for soccer meaningful and inclusive so that all parties that are likely to be affected by, or have an interest in, the strategies have the opportunity to engage in developing the programme.

This is an excellent opportunity for those involved in soccer to develop their facilities as a means of improving the sustainability and viability of soccer at the subregional level. I am delighted that the programme will also contribute to promoting equality and tackling poverty and social exclusion.

I thank the House for this opportunity to update Members on these actions. I will keep the House informed of progress on the subregional stadia programme for soccer. Go raibh míle maith agat.

12.15 pm

**Mr McCausland (The Chairperson of the Committee for Culture, Arts and Leisure):** The commitment of £36 million for subregional stadium development for football in Northern Ireland will be welcomed. There has been a recognition that the investment in football that has already been made has improved people's experience of going to matches and has drawn larger numbers to the grounds for games. The original intention, as stated in response to a question for written answer from my colleague Gordon Dunne back in the summer, was that there would be a 20-week consultation that would begin in early August and run through to December. We are virtually at the start of December and the consultation process has been reduced from 20 weeks to 12 weeks, similar to that for the arts and culture strategy. Will the Minister explain why there has been a delay and how — if the consultation is to run from 30 November to 22 February, and you then give a further four weeks for consideration of any submissions that there are to that — it would be possible to come to any decision that can go through the Executive before the end of the mandate?

**Ms Ní Chuilín:** I thank the Chair for his questions. As the Member will know — and it is the same response as the one I gave him last week in relation to the strategy for



culture and arts — there was not an Executive meeting during the summer. Given that this is a key Programme for Government commitment, I felt that it was completely appropriate to consult Executive colleagues, which I have done. The consultation will run for 12 weeks. There will be a quick turnaround in looking at the responses to prepare an application process, but this was always meant to go through in the next CSR period. Basically, I am making sure that everything is good to go for whoever comes after me and ensuring that everything that can be done has been done, that the consultation will be meaningful and inclusive and that the application process reflects the consultation period. It will be designed around the feedback and the consultation process. The next Minister will then just have to open the application process and make the award soon thereafter.

**Ms McCorley:** Go raibh maith agat. Cuirim fáilte roimh ráiteas an Aire. An dtig liom a fhiafraí den Aire faoin phróiseas iarratais? An dtig léi cur síos ar chuidiú do chlubbanna ar mheas a dhéanamh ar na hiarratais, agus cad é mar a dhéanfar na cinntí? Will the Minister outline the assistance that will be given to clubs in the application process? How will applications be assessed, and how will decisions be made?

**Ms Ní Chuilín:** I thank the Member for her question. I am sure that she picked up some of what I outlined to the Chair. As soon as the consultation process has closed, the feedback will be brought into the Department. Actually, with feedback that we get along the way, we will try to start a draft application process. However, it will be finalised only when the consultation process has closed. The application forms and process will be tailored to suit that, and it will be open soon after. It will be for the new Department for Communities to give assistance to clubs, but we will have laid down a template of what we feel is necessary. I anticipate a lot of feedback as a result of this consultation. I believe that the feedback will be inclusive, coming particularly from the soccer family, and help to design and form any new application process.

**Mrs McKevitt:** Minister, I welcome your statement. I am relieved that the consultation exercise is finally under way, given that it is four-and-a-half years since the programme was endorsed. The statement does not include a time frame for the application process and the project selection process, yet I note that all projects must be completed by March 2018. Given that the consultation will end on 22 February, as the Minister has stated, and the Department will then need time to consider its response to the consultation responses, can the Minister advise whether the programme will be progressed any further prior to the end of the mandate? Does she think that any of the soccer clubs have missed an opportunity because of the delay in this announcement?

**Ms Ní Chuilín:** First of all, the subregional soccer programme was never due to start until the next mandate, so, while it was announced in March 2011, the conditionality was that it would be for the next CSR. Given the fact that we had an additional year added on to the mandate, I have started a lot of the preliminary works. The consultation will close on 22 February. Within a few weeks, the application process will be designed and, hopefully, open for people. In the time between the old mandate ending and the new mandate beginning, the Department will be able to work with clubs to help them with the

application process, and it will be for the new Minister of Communities to make a decision, but the decisions will be made by the Department.

**Mr Cree:** I thank the Minister for her statement. Minister, you mentioned the effective dates. This strategy was first developed at the end of the last mandate. Since then, we have had the IFA's facilities strategy document of August 2012, which was, obviously, quite different from the 2011 situation. In your report, you talked about other factors that have emerged since 2011. Will you clarify the situation with regard to the Glentoran club and the IFA's new facilities strategy of 2012?

**Ms Ní Chuilín:** There are at least five questions there, but I will answer the Member as best I can. The IFA's facility management strategy was part of the Executive's decision and endorsement of 10 March 2011. That is why I have made it clear that needs have emerged since then. I know that the IFA has redrafted its needs since 2011. It will appreciate that other needs have emerged from clubs since then. We also now have the emergence of the 11 super-councils, which, hopefully, will have a role to play in this. That is a need that was not anticipated on 10 March 2011. I think, and I am sure the IFA will agree, that we have been as considerate as we possibly can be, beyond the Executive's agreement that was made in March 2011. We want to try to include as many opportunities for people to apply for this as possible. The decision on Glentoran was part of the 10 March 2011 decision. That is something that has been there for at least four years, if not more. Certainly, I know that the Member will welcome this consultation and encourage clubs in his constituency to feed into the consultation, if they feel they can.

**Mr Lyttle:** I declare an interest as a member of an amateur football club in Northern Ireland. I wholeheartedly welcome the football stadia funding programme for senior and junior football in Northern Ireland. I particularly welcome the commitment to Glentoran Football Club. It is a real hub for sporting and community development, not only in east Belfast but for national youth training, particularly in intermediate and junior football. Does the Minister recognise that intermediate and junior football in particular are in real need of support due to the individual and community outcomes they achieve for groups in areas of particular high social need? Will she commit to ensuring that as many football clubs as possible are fully aware of the opportunities that this fund will create?

**Ms Ní Chuilín:** I thank the Member for his question. I certainly agree with most, if not all, of his sentiments, particularly with regard to intermediate and junior football. Within that, I assume he is including boys and girls, because there is a real problem with the representation of women, particularly in the three big sports. In fairness to them, they have gone to great lengths to ensure that there is better inclusion. The bigger clubs will see themselves in different strands of this, but all must have and demonstrate inclusiveness; they must demonstrate that they are reaching people who have not been reached in the past, not just for the purposes of the application but for the future. That will be strongly tested. Clubs in areas like east Belfast, and many others across the North that are sitting within indices of high deprivation, will have to demonstrate their inclusivity for investment like this and potential investment. They will need to ensure that they are going to provide opportunities for children and young people, and

for older people, to become involved in sport and physical activity.

I will do my best to ensure that as many people as possible are not only aware of the consultation but have their say. I am encouraged that Members like you will do likewise.

**Mr Dunne:** I thank the Minister for her statement, which is somewhat overdue.

With regard to strand 3, will the Minister indicate how she reckons that £3 million will be sufficient for championship clubs? I understand that up to 30 clubs could be looking for potential funding to a maximum of £500,000. How will that be sufficient in trying to address the long-standing funding issue? Clubs like Bangor Football Club have waited a long time for this announcement, yet there will be disappointment that possibly only six clubs will get something from the pot. Surely £3 million is insufficient in trying to address the IFA championship club problem.

**Ms Ní Chuilín:** I assume that the Member is not still playing for Bangor, because he would have had to declare an interest. As I said, this was the 2011 IFA facilities strategy. As I also clearly said, it is also looking at emerging needs that have occurred since then. It is up to the clubs. A lot of them will feel that the strand is not appropriate. In fact, I anticipate that £36 million is not enough to cover the needs. However, it is a substantial amount of money. If people have thoughts about the strands that are outlined as draft in the consultation, they need to put forward proposals that they think would better suit the soccer family. That is as open and transparent as you will get in any consultation.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Who is responsible for the subregional programme: DCAL or the IFA?

**Ms Ní Chuilín:** The Department is primarily responsible for the consultation programme, although we work in a very strong partnership with the IFA. I am launching the consultation, taking responsibility for the process and designing the application process, which will leave the next Minister in a position to make decisions on who is successful as a result of the consultation.

**Mr Hilditch:** I declare an interest as a member of the IFA council. Wearing a number of hats, I welcome the statement and the substantial investment that is being announced today. There is, however, a bit of an anomaly whereby some championship clubs are designated grounds, and, vice versa, some clubs are playing in the premiership and are not designated grounds, which falls between the two. Potentially, Larne Football Club is an example of a championship club that is designated, and Warrenpoint Town Football Club is a premiership club that is not designated. Who will make that call? There is a grey area in the middle.

**Ms Ní Chuilín:** I was aware that that would be an issue before the consultation was launched, because, between the designation of grounds, and even for smaller clubs and the primacy rule, that issue has come up consistently. I have said to people — I take the opportunity to repeat it today — that, if they feel that this gap or confusion will disadvantage a group, geographical area or community, that needs to be said in the consultation. I believe not only that it should be said but that it should be pointed out exactly how people will be disadvantaged. I am not

expecting people to write the consultation for me, but I do expect to hear the opinions of soccer clubs and the challenges that they have experienced over the years. I believe that, within the soccer family, the consultation will be an opportunity for them to put down how they think that future needs can be met through this opportunity.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh an ráiteas fosta. I welcome the statement. I should declare an interest as a member of the GAA and an avid rugby fan. Are there any plans for a similar subregional programme for GAA and rugby facilities in the future?

**Ms Ní Chuilín:** The Member is on the Committee for Culture, Arts and Leisure, and he has certainly engaged with the three main sports. He would have heard that, along with the subregional programme for soccer, the IFA, the Ulster Council of the GAA and Ulster Rugby — the three sporting bodies — have asked for additional resources for subregional opportunities in the next mandate.

### 12.30 pm

Those discussions have started and, while we are launching the consultation on the subregional programme for soccer, as I have already said there is, most likely, not enough money to meet the needs of all. Those conversations between the three big sporting bodies and my Department have started, and I want the Member to know that I am encouraged by what I have heard thus far. It would seem that the direction of travel for the three big sports is not only looking at single facilities but at facilities that they can physically share and which will allow them to share skills and expertise. They are looking in particular at the inclusion of children and young people from deprived areas, those with disabilities, and women and girls in their sports.

**Mr Humphrey:** I thank the Minister for her statement. Northern Ireland is obviously a small country, and the development of elite players is essential. The Minister will know that the Northern Ireland senior team has qualified for the Euros next year, but the under-19s have also qualified for the elite section. Therefore, the establishment of a national training centre is a huge decision and an important development. Will the Minister assure the House that money will be divided across Northern Ireland on an equal basis, to ensure the development of facilities across Northern Ireland? Where should the national training centre be sited, and can she update the House on that issue?

**Ms Ní Chuilín:** It is far too premature for that. I launched the consultation this morning and you are already asking me to commit to a certain area; it is a bit silly. Putting that aside, I believe that there is an opportunity here. Some people feel that there is no need for a national training centre because Windsor Park has been developed, and others believe that there is a need for it and, if there is, it should be a, b, c or d. I am looking forward to everybody's opinion, not only on where facilities should be developed but on how much should be spent on them and all the rest.

The soccer community has been waiting for this consultation for a long time, and it knows and understands that it was something that would happen in the next mandate. I believe that, depending on the needs of certain clubs, we will certainly see the demand in the responses that come back, aligned to the comments and queries that have been raised around some of the draft strands

thus far. This was 2011; the IFA has amended its facilities strategy since then, and it also appreciates that different needs have emerged. I anticipate that those will be reflected in the responses to the consultation.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom fáilte a chur roimh an ráiteas agus gabhaim buíochas leis an Aire as an ráiteas seo. I welcome both the statement and the fact that the Minister is here to present it, particularly in relation to the eligibility criteria. I note and welcome the fact that it is also going to allow for non-affiliated clubs, particularly those that play in the Football Association of Ireland (FAI) league, which would include Derry City, in my home town. Is the Minister of the view that Derry City, perhaps, is well placed to make a bid for this, given that the club plays in the Football Association of Ireland's league, and that the siting of the national training centre there in the future would be more than appropriate?

**Ms Ní Chuilín:** I am certainly not going to cite where any training centre should be located. The Member is right; part of the criteria for support through the subregional programme can be for NIFL, IFA, UEFA or Football Association of Ireland league fixtures, which includes the Brandywell. I look forward to and anticipate, from the Member's constituency but particularly for that geographical area, a lot of feedback into the consultation. If everybody who approached me any time I went up to that part of the town feeds back into this, I anticipate that the majority will come from Derry city, north Belfast, east Belfast and the rest.

**Mr Lyons:** I thank the Minister for her statement, which is very welcome. Will she provide some clarity for us? She mentioned that all applicants to the programme should be aware that there will be a requirement for partnership funding. At what level will that be? After the consultation closes on 22 February, how soon will the funding become available? Can the same club apply to different strands?

**Ms Ní Chuilín:** First, the partnership funding depends on which strand they apply for. If they decide that some of these strands do not meet their needs, they should, as part of the consultation process, say so. They should say what their needs are and where they think additional strands need to be included.

As I have mentioned a few times, the consultation closes on 22 February, and it will take us a few weeks to gather up all of the responses to help us to design an application process. Once that process has been designed, there will be an open call, and I anticipate that it will last several weeks, which will take us into the next mandate. Maybe the Member has some suggestions or is working with clubs that feel that they meet one criterion but not another, and their partner meets one criterion but not another. It is down to individual clubs to make their case for partnership funding. I have left it open enough so that, although this is the 2011 draft facilities strategy from the IFA, it has been very consistent in saying that the needs that have emerged since then should be reflected in the consultation.

**Mr Allister:** The Minister has been very dogmatic when it comes to the sport of boxing that, to benefit from funding, you must be affiliated to a specific and sole governing body, yet, when it comes to football, there is no requirement for affiliation to the IFA. Why is there that distinction and bias? Is it so that the Brandywell can qualify?

**Ms Ní Chuilín:** The Member is credited with being extremely intelligent, and he is also given credit for having the ability to scrutinise things, so I assume that he has done that and just does not like the answers that he is getting. Boxing needs to be affiliated to a governing body on receipt of a letter of offer. If there is not a governing body that the Member feels recognises his cause, he should support the boxers — end of story. If he has not read the statement, I can highlight the following for him and put it in his pigeonhole. It says:

*"the applicant must be an IFA affiliated club or non IFA affiliated club with grounds located in the north of Ireland and who host either: NIFL, IFA, UEFA or Football League of Ireland fixtures."*

I have read that into the record. I can highlight the statement, and I can highlight the Hansard report, and he can do what he likes after that. *[Interruption.]*

**Mr Speaker:** Order. I am not going to have that barracking. Questions are asked and answered, and Members should listen to both.

**Mr B McCrea:** I understand that this announcement comes from a decision by the Executive on 10 March 2011. That is some time ago, and a lot has changed since, not least our financial position. Has the Minister had cause to bring this issue back to the Executive to ask them whether they are sure that, in light of other priorities, we really ought to be investing £36 million in this venture?

**Ms Ní Chuilín:** As the Member will be aware, the Programme for Government commitment on developing the three stadia as well as the subregional programme still stands. Prior to this consultation being launched today, I copied my Executive colleagues into correspondence to let them know that that is the case. I have had no feedback from anyone to suggest that this is not value for money.

I am aware that the Member has raised concerns, particularly about the private sector construction and all the rest. These stadia, these grounds and this investment will provide local employment, which is really needed, as well as sustainability for those communities, during and post construction. The Executive are very clear and very specific about that. We should try to avail ourselves of any investment, particularly capital investment, where there are opportunities to provide social benefits and social clauses during and post construction. I believe that that is the case.

The decision was made in 2011, and things have changed since. In fairness to the IFA, it has tried to adapt its draft facilities strategy in line with emerging needs. The question that you are asking me is one for the Executive, and I believe that I have given you an answer as best I possibly can.

**Mr G Robinson:** Would teams such as Limavady United and Coleraine Football Club be eligible to apply for some of the funding to upgrade their grounds?

**Ms Ní Chuilín:** As I said to other Members, the consultation is open. If Limavady or Coleraine believe that they should be able to apply for the funding when it becomes available, they need to say that in the consultation. They also need to make any points or comments in the consultation to strengthen not just the case for geographical clubs — and there are many — but

to future-proof the development of soccer in all areas across the North. I encourage the Member to ensure that those clubs not only take part in the consultation but demonstrate how they will meet the needs of young boys and young girls and people with abilities and non-abilities in any future proposal or application because it is really important that we get feedback.

**Mr Speaker:** That concludes questions on the statement.

## Executive Committee Business

### Departments Bill: First Stage

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** I beg to introduce the Departments Bill [NIA 70/11-16], which is a Bill to rename the Office of the First Minister and deputy First Minister, the Department of Agriculture and Rural Development, the Department of Enterprise, Trade and Investment, the Department of Finance and Personnel, the Department of Health, Social Services and Public Safety, the Department for Regional Development and the Department for Social Development; to dissolve the Department of Culture, Arts and Leisure, the Department of the Environment and the Department for Employment and Learning; and for connected purposes.

*Bill passed First Stage and ordered to be printed.*

### Addressing Bullying in Schools Bill: First Stage

**Mr O'Dowd (The Minister of Education):** I beg to introduce the Addressing Bullying in Schools Bill [NIA 71/11-16], which is a Bill to address bullying in grant-aided schools.

*Bill passed First Stage and ordered to be printed.*

### Health (Miscellaneous Provisions) Bill: First Stage

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** I beg to introduce the Health (Miscellaneous Provisions) Bill ) [NIA 72/11-16], which is a Bill to regulate the sale of nicotine products and tobacco, to amend the Health and Personal Social Services (Northern Ireland) Order 1972 and the Health (Miscellaneous Provisions) Act (Northern Ireland) 2008 in relation to the provision of health care; and for connected purposes.

*Bill passed First Stage and ordered to be printed.*



## Food Hygiene Rating Bill: Further Consideration Stage

**Mr Speaker:** I call the Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, to move the Further Consideration Stage of the Food Hygiene Rating Bill.

*Moved.* — [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

**Mr Speaker:** One amendment has been tabled. Members will have received a copy of the Marshalled List of Amendments, which provides details of the amendment and the groupings list. The amendment delineates the instructions for communication, which are technical in nature. I remind Members intending to speak that they should address their comments only to the amendment. If that is clear, we shall proceed.

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** I beg to move the following amendment: In page 11, line 33, at end insert

*“(3) A notification under section 2, 3 or 4 may, without prejudice to any method of service authorised under section 24 of the Interpretation Act (Northern Ireland) 1954, be sent by ordinary post; and accordingly, unless the contrary is proved, a notification sent by ordinary post is to be treated as received on the day on which it would have been delivered in the ordinary course of post (with references in this Act to when a notification, or something with it, is received being read in light of this subsection).”*— [Mr Hamilton (The Minister of Health, Social Services and Public Safety).]

The proposed amendment is a purely technical one that relates to clause 17. Through engagement with district council officers, who will be responsible for implementing and enforcing the provisions of the Bill, an issue was identified with regard to clause 3(4), which has the potential to cause district councils operational difficulties in the effective and efficient operation of the scheme.

The issue relates to a food business operator receiving a notification of a rating under clause 2, which is deemed to have taken place when the conditions in section 24(1) of the Interpretation Act (Northern Ireland) 1954 are fulfilled. However, it has been established that it would be open for a food business operator to argue that the reference in clause 3(4) to when the notification is received more naturally suggests actual receipt and, therefore, raises a contrary intention sufficient to disapply section 24(1) of the Interpretation Act (Northern Ireland) 1954.

12.45 pm

It has also been noted that section 24 of the Interpretation Act would require the notification of a rating to be sent by registered post, which would not be a practical or cost-effective method for district councils to adopt. The issue has been addressed by proposing this amendment to clause 17, which is entitled ‘Interpretation’ and provides clarification on notification. I trust that Members will appreciate the need for the amendment and will understand that, from an operational perspective, it makes good sense. I ask them to give their support to the amendment.

**Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a Cheann Comhairle. As

the Minister outlined, an issue was identified with clause 3(4), which had the potential to cause district councils some operational difficulties in operating the food hygiene rating scheme. The Minister wrote to the Committee on 7 September advising members of the issue and of his intention to address it through an amendment at Further Consideration Stage. The Committee considered the proposed amendment at its meeting on 16 September. Given that, as the Minister outlined, it was a technical amendment that had no effect on the policy and would ultimately result in the more effective and efficient running of the scheme, the Committee agreed to note the proposed amendment.

**Mrs Dobson:** The Ulster Unionist Party supports the amendment tabled by the Minister. It is timely that the Bill is progressing to the next stage only days after the Deputy Minister for Health in Wales described the system there as a “big success”. That is perhaps another example of the Welsh leading the way on public health amongst the regions. I will leave that for Members’ consideration.

In the two years since the Welsh legislation came into place, the share of food outlets getting the top, five-star rating has risen from 45% to just over 60%. The ratio of firms rated satisfactory or better rose from 87% to over 94%, and the number of outlets with a zero rating halved from 134 to 61, which is around one in 500. Overall, it has succeeded in driving up standards in restaurants and takeaways, and I have every hope that our Bill will do the same. It will give greater confidence to consumers and drive up food hygiene standards at outlets across Northern Ireland at the same time. This is one of those Bills that, along with minor changes such as today’s amendment, will be able to deliver obvious benefits to consumers.

**Mr McCarthy:** As a member of the Health Committee, I rise to support the amendment before us today. I welcome the Food Hygiene Rating Bill as a means whereby our population can have confidence when visiting all our food providers, cafes, restaurants and eateries of every description. Northern Ireland is renowned for the provision of excellent food, and I have no doubt that that will continue with the introduction of this Bill.

Our Committee visited premises that supply food to the public, and I was very impressed with all the visits, none more so than the visit to our very own Blue Flax restaurant. I congratulate the manager and his staff for the excellent manner in which they carry out their work.

The district councils’ environmental health officers carry out a very important and essential role, and the amendment and the Bill are very welcome. On behalf of the Alliance Party, I support the Bill.

**Mr Hamilton:** I thank the Members who contributed very briefly to the debate. In particular, I thank the Committee and the Chair for accepting the amendment and for the support that has been shown. As I indicated previously, the reason for the amendment is to provide clarification on notification under the provisions of the Bill, which will facilitate district councils in effectively and efficiently implementing the food hygiene rating scheme. I ask Members to support the amendment.

*Amendment agreed to.*

**Mr Speaker:** That concludes the Further Consideration Stage of the Food Hygiene Rating Bill. The Bill stands referred to the Speaker.

We will take our ease for a moment because I think that we are expecting at least one Member. You will not get it much easier than that, Minister.

## Committee Business

### Public Services Ombudsperson Bill: Further Consideration Stage

**Mr Speaker:** I call the Chairperson of the Committee for the Office of the First Minister and deputy First Minister to move the Further Consideration Stage of the Public Services Ombudsperson Bill.

*Moved.—[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Mr Speaker:** Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There are three groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on the amendments relating to changing the title of “Ombudsperson” to “Ombudsman”.

The next debate will be on the amendments in group 2, which deal with procedures, including commencement, reporting and privilege, and technical changes required to the Bill. The third debate will be on amendment Nos 31, 51, 75, 89, 91 and 305, which deal with the powers and ambit of the ombudsperson.

Members intending to speak 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.

If all of that is clear, we shall proceed.

#### **Clause 1 (The Northern Ireland Public Services Ombudsperson)**

**Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill):** I beg to move amendment No. 1: In page 1, line 5, leave out “Ombudsperson” and insert “Ombudsman”.

*The following amendments stood on the Marshalled List:*

No 2: In page 1, line 6, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

No 3: In page 1, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

No 4: In clause 2, page 1, line 10, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

No 5: In clause 2, page 2, line 2, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

No 6: In clause 2, page 2, line 5, leave out “Ombudsperson” and insert “Ombudsman”.—



























*[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

No 315: In schedule 8, page 46, line 38, leave out “Ombudsperson” and insert “Ombudsman”.—

*[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

No 317: In schedule 8, page 47, line 5, leave out “Ombudsperson” and insert “Ombudsman”.—

*[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

No 319: In schedule 8, page 47, line 11, leave out “Ombudsperson” and insert “Ombudsman”.—

*[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

No 320: In schedule 8, page 47, line 13, leave out “Ombudsperson” and insert “Ombudsman”.—

*[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

No 321: In schedule 8, page 47, line 20, leave out “Ombudsperson” and insert “Ombudsman”.—

*[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

No 322: In schedule 8, page 47, line 23, leave out “Ombudsperson” and insert “Ombudsman”.—

*[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

No 323: In schedule 8, page 47, line 27, leave out “Ombudsperson” and insert “Ombudsman”.—

*[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

No 325: In schedule 8, page 47, line 31, leave out “Ombudsperson” and insert “Ombudsman”.—

*[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

**Lord Morrow:** Although we have 275 amendments to debate in group 1, I do not intend to detain the House too long on this matter. The amendments all relate to a change in the title of the new office from “ombudsperson” to “ombudsman”. The Ad Hoc Committee considered the use of the term “ombudsperson” in the Bill and noted that it was the intention of the Committee for OFMDFM that the name should be unambiguously gender-neutral. The Ad Hoc Committee received evidence from the International Ombudsman Institute, the International Ombudsmen Association, and the Welsh and Irish Ombudsmen that the term “ombudsman” was already gender-neutral. The word is of Scandinavian origin, and its original meaning in Swedish is “representative”. We received a research paper on the etymology of the term. We were advised that “ombudsman” was a trusted and recognised brand and that to change the title could cause confusion among the public.

The Committee for OFMDFM was content with our suggestion that the title of the office should be “ombudsman”. Therefore, at Consideration Stage, the Ad Hoc Committee brought forward amendments to the first instance of the term in the Bill — that is, in clause 1 — and to the short and long titles. At the time, I said that, depending on the outcome of that stage, it was the Committee’s intention to table amendments at Further Consideration Stage to the other affected clauses. The Assembly clearly indicated at Consideration Stage that

it was content to have the title “ombudsman”, so the Ad Hoc Committee tabled the remaining necessary 275 amendments. I commend them to the House.

**Mr Maskey:** Go raibh maith agat, a Cheann Chomhairle. I thank the Member for tabling the amendments and speaking to them. I will try to be brief on this matter, because there are a significant number of amendments, but they are designed to deal with the one issue, which is the name change.

Our view is quite simply that we would prefer the title to remain “ombudsperson”. We understand the origin of the word “ombudsman” and the question relating to the gender issue and it being a gender-neutral word. By the same token, we believe that there has been an ongoing cultural change in the last number of years whereby people tend to move away from using the word “man”, which most people here obviously accept has a gender definition. On that basis, we would prefer that the name remained “ombudsperson”. We think that that is becoming much more prevalent in common parlance and the understanding of people throughout civic society. On that basis, we prefer to keep it that way and continue moving in that direction. Not only is it specifically related to this particular Bill, it is part of an ongoing, changing cultural public narrative around the use of gender definitions when people are addressed in the civic world. On that basis, a Cheann Chomhairle, and we seek your guidance on this, we will oppose the amendments, but we have no desire to bring the House to Divisions on this matter. If we can go from what might be described as a “no”, to a “low no”, to a “no no”, we are quite happy to do that. We seek your guidance on that matter.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

On behalf of the Committee, I begin by again thanking Lord Morrow and his Ad Hoc Committee for the work that it has put in on the Northern Ireland Public Services Ombudsman Bill (NIPSO). I would also like to indicate that the Committee for OFMDFM supports the Ad Hoc Committee’s further name-change amendments. As Lord Morrow pointed out, research was commissioned into the etymology of the term “ombudsman”, and it became clear that the history of the word suggests that it is not gender-specific, which may be counter-intuitive, taking on board the recent comments of Mr Maskey. In the end, the Committee for OFMDFM was satisfied that the term “ombudsman” is not gender-specific, and there was cross-party support for the amendments proposed by the Ad Hoc Committee, notwithstanding, once again, the contribution that we have just heard from Mr Maskey on behalf of Sinn Féin.

The Committee for OFMDFM’s amendment No 87 makes a change from “Ombudsperson” to “Ombudsman”, which the Ad Hoc Committee’s amendment No 86 also deals with. So, I would be grateful if that particular Ad Hoc Committee amendment — amendment No 86 — to clause 33 were not moved, because the Committee for OFMDFM’s amendment No 87 will make the change to clause 33 as desired by the Ad Hoc Committee.

**Lord Morrow:** I think that we have reached a new meaning of the word “no”. It goes from “no” to “low no” to “no no”. So I think that we have moved on in the Assembly today.

In summing up, I wish simply to point out that the term “ombudsman” is already gender-neutral and is recognised



as such right around the world. The Ad Hoc Committee agreed to bring forward changes; the OFMDFM Committee was content for it to do so; and, at Consideration Stage, the Assembly agreed in principle to such change, making a number of specific amendments. It therefore follows that the Assembly should make the remaining amendments that flow from that decision.

In relation to the matter that Mr Nesbitt has raised, we will deal with it when we get to that particular amendment.

**Mr Speaker:** I will now put the Question on amendment No 1, to leave out “Ombudsperson” and insert “Ombudsman”. The Marshalled List contains a large number of these amendments, and I remind Members that they have already disposed of a few of these amendments at Consideration Stage. I will put the Question, and, if it is clear to me what the majority of the House wants, I will make a call on that basis. If Members wish to record their position, then, obviously, they can challenge my judgement at that point.

Let us move on.

*Amendment No 1 agreed to.*

**Mr Speaker:** Amendments Nos 2 to 11 have already been debated. With the leave of the Assembly, I will group these amendments for the Question.

*Amendment No 2 made:*

In page 1, line 6, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 3 made:*

In page 1, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

### **Clause 2 (Independence)**

*Amendment No 4 made:*

In page 1, line 10, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 5 made:*

In page 2, line 2, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 6 made:*

In page 2, line 5, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 7 made:*

In page 2, line 7, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

### **Clause 3 (Appointment)**

*Amendment No 8 made:*

In page 2, line 11, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 9 made:*

In page 2, line 14, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 10 made:*

In page 2, line 19, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

### **Clause 4 (Abolition of existing offices)**

*Amendment No 11 made:*

In page 2, line 28, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Mr Speaker:** We now come to the second group of amendments for debate. With amendment No 12, it will be convenient to debate the other amendments in this group. These deal with procedural and technical amendments. Members should note that amendment No 12 is a paving amendment to amendment No 283.

Amendment No 289 is consequential to amendment No 288. Amendment No 295 is consequential to amendment No 294. I call the Chairperson of the OFMDFM Committee, Mr Nesbitt, to move amendment No 12 and to address the other amendments in the group.

**1.00 pm**

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I beg to move amendment No 12:

In page 2, line 28, after “transitional” insert “and savings”— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*The following amendments stood on the Marshalled List:*

No 21: In clause 8, page 4, line 11, leave out “clinical or”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 28: In clause 12, page 5, line 5, leave out “First Minister and deputy First Minister acting jointly” and insert “Office of the First Minister and deputy First Minister”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 29: In clause 12, page 5, line 11, leave out paragraph (a).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 35: In clause 16, page 6, line 36, leave out “general medical” and insert “primary medical”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 36: In clause 16, page 7, line 1, leave out “personal medical” and insert “primary medical”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 38: In clause 18, page 7, line 27, leave out “the”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 40: In clause 18, page 7, line 30, after “courses” insert “provided or”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 43: In clause 19, page 8, line 13, leave out “First Minister and deputy First Minister acting jointly” and insert

*“Office of the First Minister and deputy First Minister”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 44: In clause 19, page 8, line 16, at end insert

*“(4) Before making an order under this section, the Office of the First Minister and deputy First Minister must consult the Ombudsman and any other person it thinks appropriate.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 52: In clause 22, page 9, line 13, at end insert

*“(3) Before making an order under this section, the Office of the First Minister and deputy First Minister must consult the Ombudsman and any other person it thinks appropriate.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 87: In clause 33, page 13, line 3, leave out “or any member of staff of the Ombudsperson” and insert

*“, any member of staff of the Ombudsman or any person authorised in accordance with paragraph 14(2) of Schedule 1”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 106: In clause 38, page 15, line 7, leave out “subsection (1) applies” and insert

*“a listed authority has been notified in accordance with subsection (1)”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 139: In clause 46, page 17, line 34, leave out subsection (2).— *[Mr Lunn.]*

No 151: In clause 48, page 18, line 17, leave out paragraph (c) and insert “(c) publication by a person aggrieved, in the course of communication with the Ombudsman, of any statement made by the person aggrieved in connection with an investigation.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 156: In clause 49, page 18, line 31, after “information” insert

*“obtained by the Ombudsman which is”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 157: In clause 49, page 18, line 32, after “information” insert

*“obtained by the Ombudsman which is”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 171: In clause 54, page 22, line 21, leave out “clinical or”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 173: In clause 55, page 22, line 37, leave out “clinical or”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 182: In clause 64, page 25, line 11, at end insert “(a) section 1 (including Schedule 1),

*(b) section 3.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 183: In clause 64, page 25, line 17, at end insert “(g) in Schedule 2, paragraphs 5, 11 and 12.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 184: In clause 64, page 25, line 18, leave out subsection (3).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 185: In clause 64, page 25, line 38, after “to” insert “the board of governors of”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 186: In clause 64, page 25, line 41, after “Schedule 1 (“ insert “the board of governors of”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 208: In schedule 1, page 29, line 3, leave out “appointed as”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 237: In schedule 1, page 31, line 1, leave out “appointment of”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 262: In schedule 2, page 33, line 7, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 278: In schedule 2, page 36, line 2, after “where the” insert “relevant”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 279: In schedule 2, page 36, line 8, leave out “the” and insert “an”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 280: In schedule 2, page 36, line 10, leave out subparagraph (2) and insert

*“(2) On and after the transfer day, the complaint may be made or referred under this Act, and the provisions of this Act apply for the purposes of making, referring, investigating and dealing with that complaint, save that if the complaint is made or referred within the time period required under—*

*(a) the Ombudsman (Northern Ireland) Order 1996, where the complaint could have been made or referred to the Assembly Ombudsman for Northern Ireland,*

*(b) the Commissioner for Complaints (Northern Ireland) Order 1996, where the complaint could have been made or referred to the Northern Ireland Commissioner for Complaints,*

*the complaint will be deemed to comply with the time period required under this Act.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 283: In schedule 2, page 36, line 15, at end insert

*“COMMISSIONER FOR PUBLIC APPOINTMENTS*

*12.—(1) The repeal by this Act of the Commissioner for Complaints (Northern Ireland) Order 1996 does not affect the definition of “public appointment” in the Commissioner for Public Appointments (Northern Ireland) Order 1995.*

*(2) Sub-paragraph (1) does not affect the exercise of prerogative powers in respect of the Commissioner for Public Appointments referred to in section 23(3) of the Northern Ireland Act 1998.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 284: In schedule 3, page 36, line 29, leave out from “, a joint committee” to end of line 31.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 285: In schedule 3, page 38, line 39, leave out

*“and any committee or sub-committee of a new town commission”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 286: In schedule 5, page 40, line 13, leave out “56.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 288: In schedule 5, page 40, line 31, after “maladministration” insert

*“and that such injustice has not been remedied, and”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 289: In schedule 5, page 40, line 32, leave out head (b).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 294: In schedule 6, page 43, line 30, leave out heads (b) and (c).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 295: In schedule 6, page 43, line 37, leave out “sub-paragraph” and insert “sub-paragraphs (2) to”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 296: In schedule 6, page 43, line 39, at end insert“(f) in sub-paragraph (6) leave out ‘(4)’ and insert ‘(1)’.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 298: In schedule 7, page 45, line 6, at end insert

*“and*

*(c) as if in section 31(5) the references to section 32(1) and (2) had no effect.”— [Mr Nesbitt (The Chairperson*

*of the Committee for the Office of the First Minister and deputy First Minister).]*

No 314: In schedule 8, page 46, line 35, after “Equality Commission,” insert

*“the board of governors of”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 316: In schedule 8, page 47, line 1, after “Northern Ireland department,” insert

*“the board of governors of”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 318: In schedule 8, page 47, line 7, after “Northern Ireland department,” insert

*“the board of governors of”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 324: In schedule 8, page 47, line 29, after “the Commissioner,” insert

*“the board of governors of”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 326: In schedule 9, page 49, line 26, leave out “paragraph 14” and insert

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	paragraphs 13 and 14
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*— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 327: In schedule 9, page 49, leave out from line 35 to the end of line 1 on page 50.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Mr Nesbitt:** The Committee has brought amendment No 12 in conjunction with amendment No 283, which ensures that the definition of “public appointment” in the Commissioner for Public Appointments (Northern Ireland) Order 1995 will not be affected by the repeal of the Commissioner for Complaints (Northern Ireland) Order 1996. The Commissioner for Public Appointments Order refers to the schedule to the Commissioner for Complaints Order. The effect is to save the schedule for the purposes of the public appointments legislation. As a result, it will be appropriate that the title to schedule 2 indicates that it includes savings provisions. Amendment No 12 changes the reference to the title of schedule 2, which appears in clause 4, to refer to “savings”.

The Assembly agreed OFMDFM Committee amendments at Consideration Stage to remove references to “clinical judgement” in the context of health and social care so that the Bill would simply refer to “professional judgement”, which will encompass “clinical judgement”. Amendments Nos 21, 171 and 173 will therefore deal with three surviving references to “clinical”, which can now be removed.

Amendment No 28 gives effect to a change recommended by the Examiner of Statutory Rules. It provides that the order-making power in clause 12 to amend schedule 3, which is the list of authorities within the NIPSO’s remit,

will lie, as is normal, with the Department and not with the Minister, or, in this case, with the Office of the First Minister and deputy First Minister, rather than with the two Ministers acting jointly.

Amendment No 43 makes a similar change to clause 19 in respect of the order-making powers to update schedule 4. Amendment No 44 to clause 19 requires that OFMDFM consult the NIPSO and any other person OFMDFM thinks appropriate before making such an order. Amendment No 52 makes a similar change to clause 22, which deals with schedule 5 — the schedule of excluded matters.

Amendment No 29 deals with clause 12(3), which places some limitations on the types of bodies that can be added to schedule 3 by OFMDFM order. One of the types of bodies that could be added was a Northern Ireland Department. This was needed when schedule 3 listed individual Departments by name. However, it now refers to them generically as “a Northern Ireland department”. So, whatever name changes may ensue, any Northern Ireland Department will automatically be in the schedule of listed authorities, and clause 12(3)(a) is therefore no longer needed.

Amendments Nos 35 and 36 touch on clause 16 and update wording in light of changes to health legislation. Thus, references to “general medical services” and “personal medical services” will become “primary medical services”. Amendment No 286 removes an out-of-date reference to health legislation in schedule 5 — the schedule of excluded matters.

Amendments Nos 38 and 40 touch on clause 18. Amendment No 38 removes the “the” in front of University of Ulster, and amendment No 40 makes it clear that students enrolled in courses provided by the universities are covered.

Amendment No 87 is to clause 33, which deals with obstruction and contempt of the NIPSO or any member of the NIPSO’s staff. This amendment extends clause 33 to encompass any other person authorised by the NIPSO under paragraph 14(2) of schedule 1 and therefore not just the NIPSO’s staff.

Amendment No 106 amends clause 38 to make explicit that the obligation for a listed authority to comply with a model of complaints-handling procedure — a model CHP — applies where the NIPSO has specified a listed authority to which a model CHP is relevant and has notified that authority accordingly.

Amendment No 139, tabled by Mr Lunn and Mr Maginness, has been considered by the OFMDFM Committee, which cannot support it. The amendment would remove entirely the power in clause 46 of the Bill for the NIPSO to lay before the Assembly a special report when injustice has been sustained by a person aggrieved and that injustice has not been, nor will be, remedied. The power for an ombudsman to make a special report to the legislature in such circumstances is common to all the UK ombudsmen. It would seem very strange, to say the least, if the Assembly were to establish an ombudsman with very effective powers of investigation yet, when the ombudsman finds that a person has suffered injustice that has not and will not be remedied, the ombudsman will be stripped of the power to lay a special report before the Assembly. Surely, the Assembly must be informed.

Particular concerns were raised by the British Medical Association and others during the Ad Hoc Committee’s scrutiny of the Bill about the effect that the power might have on GPs and others. The OFMDFM Committee sought advice on those concerns, and we are confident that the power can be used appropriately by the NIPSO and in a way that is compatible with the convention rights of the listed authorities that may be affected. The OFMDFM Committee has also considered special reports that were issued by the Parliamentary and Health Service Ombudsman in England, which named a GP and a dentist. Some of the reports issued by the Scottish Public Services Ombudsman have, similarly, named individuals, and the world is still turning on its axis. Therefore, the OFMDFM Committee cannot support the amendment.

Amendment No 151 deals with clause 48 of the Bill, which affords protection from actions for defamation to facilitate the investigation of and reporting on complaints made by a person aggrieved. The amendment will ensure that the absolute privilege that is provided to the person aggrieved is limited to statements that are made in the course of communication with the ombudsman.

Amendment Nos 156 and 157 clarify that the information in question in clause 49(1)(b) and clause 49(1)(c) is information that is obtained by the ombudsman.

Amendment Nos 182, 183 and 184 touch on clause 64 of the Bill, which deals with commencement. The main purpose is to ensure that those provisions of the Bill that were to commence one month after Royal Assent will now commence on the day after Royal Assent and that all the necessary preparatory steps can be taken in the run-up to commencement of the substantive complaints and investigations provisions on 1 April 2016.

Amendments Nos 185, 186, 314, 316, 318 and 324 amend provisions where the Bill refers to grant-aided schools in line with the changes that were made at Consideration Stage; in other words, to refer to “the board of governors of” grant-aided schools.

Amendment Nos 208 and 237 remove references to the Northern Ireland Judicial Appointments Ombudsman being appointed, as there is no appointment as such. Rather, the person who is appointed as the NIPSO will automatically become the NIJAO.

Members may recall that references to “appointed day” were changed at Consideration Stage to “transfer day”. However, one reference to “appointed day” survived and amendment No 262 deals with that omission.

Amendment Nos 278 and 279 make technical changes to paragraphs 9 and 10 of schedule 2.

Amendment No 280 will substitute paragraph 10(2) of schedule 2 to make transitional provision to avoid a person aggrieved being disadvantaged as a result of the change from a 12-month time limit for bringing a complaint to a six-month time limit.

Amendment Nos 284 and 285 remove some unnecessary references to committees in the list of authorities in schedule 3.

Amendment Nos 288 and 289 make technical changes to schedule 5.

Amendment Nos 294, 295 and 296 deal with schedule 6 to the Bill and amend provisions of schedule 3A to the Justice



(Northern Ireland) Act 2002, which deal with reporting by the Judicial Appointments Ombudsman or NIJAO.

The Bill provides that the NIJAO is to lay an annual report before the Assembly. The effect of the amendments is to simplify the existing provision by the removal of the power to direct the NIJAO to deal with a matter in his or her annual report.

Amendment No 298 amends schedule 7 to the Bill, which deals with amendments to Part 9 of the Local Government Act (Northern Ireland) 2014. That provides for the investigation of complaints of breaches of the local government code of conduct. The power of the NIPSO under clause 31 to obtain information, documents and so on is borrowed by the Local Government Act for investigations under the local government code of conduct, with some qualifications, as set out in schedule 7. However, clause 31(5) refers to provisions in clause 32, and clause 32 does not apply to code of conduct investigations. The amendment makes it clear that clause 31(5) applies as if the references to clause 32 had no effect.

Amendment Nos 326 and 327 are to schedule 9 to the Bill, which deals with repeals. Amendment No 326 updates the repeals to the Justice (Northern Ireland) Act 2002 in light of changes in respect of the Judicial Appointments Ombudsman. Finally, amendment No 327 removes a repeal provision that is no longer necessary.

**Lord Morrow:** The Committee did not have sight of the amendments in this group prior to the formal clause-by-clause scrutiny and has, therefore, not taken a view on them. The Committee did, however, consider an issue that relates to amendment No 139 in the names of Mr Lunn and Mr Maginness, so I will briefly set out the Committee's position.

Amendment No 139 would have the effect of removing the ombudsman's power to lay a special report before the Assembly when an injustice has been sustained by a person aggrieved, and the injustice has not or will not be remedied or adequately remedied. The Committee considered that power and noted evidence that welcomed the provisions in what is now clause 46 as a means of strengthening the office of the ombudsman. Such evidence was received from the International Ombudsman Institute, the Law Society of Northern Ireland and the Northern Ireland Human Rights Commission. However, the Committee also noted the concerns of the Medical Defence Union and the British Medical Association that such a power could be construed as coercive and have significant reputational impact — for example, for a general practitioner.

The Committee gave careful consideration to those concerns. It noted that the Ombudsman (Northern Ireland) Order 1996 already provides that the ombudsman may lay a special report before the Assembly when an injustice has been sustained by a person as a result of maladministration, and that injustice has not been or will not be remedied.

The Committee also noted that the ombudsman, as a public authority, will be required by section 6 of the Human Rights Act 1998 to act in a manner that is compatible with rights under the European Convention on Human Rights, including article 6 on the right to a fair hearing and article 8 on the right to a private and family life, and to ensure that it discharges its functions in a manner that is procedurally fair. However, despite that, the Committee

expressed concerns that that power could be construed as coercive and that such a report had the potential to have a detrimental impact on a medical practitioner. The Committee, therefore, recommended that the Committee for the Office of the First Minister and deputy First Minister, as sponsor of the Bill, should satisfy itself that there are proper safeguards and procedural fairness before any such power is exercised. However, having made that recommendation, the Committee was content with what is now clause 46.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. I have just a few words on this group of amendments. The Chairperson has dealt with amendment Nos 21, 171 and 173. For the record, as a party grouping, we were satisfied that taking out the word "clinical" was dealt with in previous discussions, but it has been replaced by "professional", so it is a consequential change necessitated by previous discussions. We are satisfied that the ability of the ombudsperson to do his or her job in the context of any professional issues that are raised is dealt with adequately in the Bill. As has been pointed out, our view is that amendment No 139 is completely superfluous to requirements, as it is dealt with elsewhere.

#### 1.15 pm

**Mr A Maginness:** I will deal specifically with amendment No 139, which Members who spoke previously have focused on. First, under article 19 of the Commissioner for Complaints (Northern Ireland) Order 1996, there is a provision in relation to reports to the Assembly. The Chair of the Ad Hoc Committee referred to that. It states:

*"The Commissioner shall annually lay before the Assembly a general report on the performance of his functions under this Order and may from time to time lay such other reports before the Assembly as he thinks fit."*

That may or may not include a special report. However, I do not believe that that particular article makes provision for a special report. We all accept that the annual report is the ordinary annual report that any public body would make to the Assembly. However, a special report to the Assembly is, I suppose, in common parlance, a name or shame type of report. In other words, a body or an individual, which is my concern here, may be named or shamed in that report. I believe that to be a very sensitive function, if it is to be carried out at all, for any ombudsman, and something that we have to look at closely in the round and scrutinise. We cannot just give blanket permission to an ombudsman to make a special report that could — as the Chair of the Ad Hoc Committee very fairly pointed out — have an adverse reputational impact. In other words, the person who is reported could well suffer quite significant reputational or professional damage. That is particularly so if a person is living in a small community such as a village or a small town. The Assembly must consider that very carefully today, because we must realise what power we are giving the ombudsman.

I know that the provision that we are looking at today, "Reports to the Assembly", is framed differently. Clause 46(2) states:

*"If, after conducting an investigation (other than one under section 8)"*

— I have no problem with the one under section 8 —

*“it appears to the Ombudsperson that ... an injustice has been sustained by a person aggrieved, and ... the injustice has not been, or will not be, remedied or adequately remedied”*,

the ombudsman may lay a special report before the Assembly.

I want to look at that particular subclause because, given the power that the Ombudsman's Office has, I am not convinced that there could be such an injustice that will not be adequately remedied. From reading the Bill, I understand that if a complaint is made against an individual — I refer particularly to medical practitioners — and a settlement is proposed by the ombudsman, who also makes certain recommendations, the person complained against does not have to accept those recommendations. However, in normal circumstances, the person complained about does accept the recommendations and a settlement is entered into — normally an apology, and maybe a sum of money.

In circumstances where the person complained against rejects that and says, “No. I am not going to do that, because I do not think that I have been found to be reprehensible”, the complainant can go to the County Court. If I am wrong about that, let someone tell me. Previously, individual medical practitioners could not be brought to the County Court, but I believe that, under this Bill, they can be. If that is the case, where is the lack of remedy in relation to somebody whose complaint has been upheld? Why can that person not go to the County Court and get the necessary remedy? My point is that clause 46(2)(b) states:

*“the injustice has not been, or will not be, remedied or adequately remedied”*.

I cannot understand the sense of that paragraph.

**Mr Nesbitt:** I thank Mr Maginness for giving way. I want to deal with the logic of the argument. The whole idea of having an ombudsperson or ombudsman is to avoid legal routes and stay out of the County Court, the High Court, the courts and the criminal justice system. It is an alternative procedure for settling disputes.

As Mr Maginness rightly says, this is a very sensitive function to be exercised by the NIPSO. He argues that blanket permission should not be given to the NIPSO to publish special reports. He is correct. In fact, and he quoted the relevant passage, there is no such thing as blanket permission. Rather, the NIPSO can lay a special report only if two criteria are met: first, he must be satisfied that an injustice has been sustained by the aggrieved person; and, secondly, he must be convinced that the injustice has not been, and will not be, adequately remedied by the person responsible for the individual being aggrieved. Only under those circumstances can he lay a special report.

Mr Maginness is quite right to highlight the reputational damage that could accrue to the individual GP, dentist or whomever is the subject of the special report. However, I ask Mr Maginness to recognise that it cuts both ways. If the NIPSO starts to lay special reports that end up causing reputational damage to his office, this body will not be slow, nor will the County Courts, to highlight the fact that

the NIPSO is doing so without due care and consideration. That would cause massive reputational damage to the NIPSO.

**Mr A Maginness:** Yes, and I take the latter point that you made. With regard to the current ombudsman, there is no suggestion that there would be anything other than a proper and thorough report that was fairly and properly carried out. I pay tribute to the current holder of the office because he has carried out a very good job that we should all applaud. However, we are making law. We are not giving a character reference for any individual or body. We have to make law that meets the concerns of everybody, and we have to strike a balance. As I understand it, article 19 allows for a report to the Assembly under the 1996 Order. This, however, is a new element: it reflects article 19, but it is a new element and means a special report. I will come to that in a minute.

I want to go back to the point that you made about injustice. Yes, injustice is the first leg of this aspect; the second leg is that that injustice has not been adequately remedied. I go back to the original point that a person can go to court and receive the proper relief that that person deserves in the court, whether it be money, an apology or whatever the terms that are concerned. That is an important feature. It is a unique feature of the ombudsman's office here in Northern Ireland; that power does not exist elsewhere. That power is there for a specific reason. If a settlement does not come into being, if it is not accepted by the person complained about, the complainant can go to the County Court and get a remedy. Whenever the person goes to the County Court, you do not have to rehearse all the evidence that has been derived in the case. The evidence of the ombudsman is sufficient to establish the claim in the County Court. You are effectively talking about a monetary element that the court can determine so that it is just and right in all circumstances.

The point that I make is that the power that we have here as far as the County Court is concerned is unique and is also very easy to access. The County Court is not like the High Court; you just go to the County Court, and the hearing takes place. It is a fairly straightforward process. On the point that I made about article 19, it seems to me that, under clause 46, this is in fact a new power. I do not understand why this new power is being introduced.

**Mr Speaker:** Thank you. I call — sorry.

**Mr Nesbitt:** I think that the Member has given way rather than completed his —

**Mr A Maginness:** Yes, I have given way.

**Mr Nesbitt:** I have a couple of follow-up points. First, we are trying to put a NIPSO in place as an alternative to the law courts. If a GP, or whoever, is subject to a special report, the aggrieved person can go to the County Court, but it is at their own expense and risk. We are trying to avoid that; we are trying to offer an alternative process through the NIPSO. When the Committee considered the proposed amendment from Mr Lunn and Mr Maginness, we were conscious that the NIPSO will have to operate with due consideration for convention rights. There will have to be a sturdy and robust consideration of whether it is proper for the NIPSO to bring forward a special report. There are safeguards before publication. There is then the consideration of the reputational risk that the NIPSO

is bringing upon themselves should they go down this extraordinary route.

My final point is that recourse to the County Court is held by the current Commissioner for Complaints rather than by the ombudsman. With the Bill, we were trying to bring together the two offices to offer something much more modern and easily understood by the public. The Committee also took a policy decision that, where there is a difference in the powers of the ombudsman and the Commissioner for Complaints, we would always level up in favour of the consumer, the voter, the electorate or the citizen.

**Mr A Maginness:** I accept the point that you are making. The Bill is an attempt to do that. All that I am saying is that I think that, in this instance, we are going too far in relation to special reports. As far as the person going to the County Court is concerned, they go, as far as I can see, at no risk whatsoever in legal terms. It may have a cost risk, but I cannot see how any order of costs would be given against the person because their case will be successful in any event. So I do not really regard that as issue.

Let us go to the point that Mr Nesbitt made in his submission as Chair of the OFMDFM Committee.

Articles 6 and 8 of the European Convention are involved in this. Article 6, the right to a fair trial, is engaged. It is not a trial in the sense that you go to court and are in front of a judge and jury, and so forth; it is a trial in the sense that your actions are being arbitrated upon. Therefore, it is very important, when we give these sorts of powers, that we look at them very carefully and seek to protect article 6 rights, as well as article 8 rights, the right to a private life, a family and so forth. All those things need to be protected. It is insufficient for us, as an Assembly, to say, "Well, we'll leave it up to somebody else to do this". That is, effectively, what we are doing. There is nothing in the Bill, in relation to this provision, that provides adequate safeguards. If there were adequate safeguards in the Bill, there might be no need to remove this, but that is an additional point.

### 1.30 pm

To be fair to the current ombudsman and his office, they have said that the special reports could be anonymised and that that would protect the identity of the individual involved. We live in a very, very small and close-knit society, and it does not take very much for an individual to be clearly identified, even if the name or names of some individuals are not disclosed. So, despite anonymisation, there is still a problem. I accept the bona fides of the current ombudsman when he says that he assumes that his office would continue to view this in the same manner. I have no doubt about that; but he cannot vouch for somebody else who will be his successor.

As Lord Morrow pointed out, this is, in effect, coercive, or could be coercive, but not in all circumstances; the potential is there. We have to protect against that. I simply say to the Assembly that there are not sufficient safeguards here to protect the individual, and we risk the creation of an adverse impact on somebody's professional or reputational standing. I do not think that that is good enough for us as an Assembly. We should be good legislators; we should scrutinise things carefully, and we should be protective. I am very jealous and protective of the rights of complainants. Their rights should be protected.

However, I do not see how this provision advances the rights of any complainant when they have an alternative and sufficient remedy — a remedy that does not exist in any other jurisdiction within these islands. That is why I and Mr Lunn, who also served on the Ad Hoc Committee, have brought this amendment. We know that we are up against it; nonetheless, we think that the merits of the amendment are on our side. We hope that the Assembly will reasonably and rationally consider what we say, because we believe that the amendment is important in protecting individual practitioners. We are not protecting the big trusts and big public organisations. They are not protected, but the individual should be protected. Thank you.

**Mr Lunn:** I will try not to repeat everything that Mr Maginness said, but it would probably make for another good speech. I must say that I agree with Lord Morrow that the Ad Hoc Committee, certainly initially, did have a certain amount of sympathy for this particular proposed amendment. As a Committee, I am not so sure that we agreed not to run with an amendment. We kind of agreed that the primary Committee on this would be the Committee for the Office of the First Minister and the deputy First Minister, and we tacitly accepted what its attitude would be. My problem with it and the reason why I pushed it at the Ad Hoc Committee and since is, frankly, this: what is the point of clause 46(2)? Mr Maginness mentioned naming and shaming. That is descriptive language, but it is perhaps not far off the mark here.

In a way, clause 46 relates to another amendment that we will probably come to in the next group. If I may, I will just refer obliquely to it. It is amendment No 75 on representation at the ombudsman's hearing. You could have a situation — we are really speaking about the medical profession — where a doctor is brought before the ombudsman because of a complaint. At the moment, it is at the ombudsman's discretion whether he is allowed to have legal representation or not. That is a discussion for another day. It may well be that you will have an ombudsman's hearing involving a complaint against a general practitioner, doctor or dentist where there has not been legal representation. As Mr Maginness, rightly, says, there are legal remedies if the injustice is not or will not be remedied or adequately remedied in the opinion of the ombudsman. The complainant has the option, as he would have had in the first place, to go to the County Court and seek redress, bearing in mind that the ombudsman's decision is a recommendation, not a ruling or an award.

I am more concerned about the situation around whom I call "the defendant" in these situations — the doctor who is complained against — and his rights. I probably keep on saying "he", but I mean he or she. I do not think that Mr Maginness mentioned it, but the redress that that doctor would have is that they can seek judicial review of the ombudsman's decision. On either side of the discussion, legal redress is already available. There is actually a judicial review pending on quite a serious case. I think that it is JR 55 if anybody wants to keep track of it. It is not coming up until March 2016. It involves a considerable sum of money and the potential for considerable reputational damage, but the person who has been complained against feels strongly enough to take it to judicial review.

I agree with some of the things that Mr Nesbitt said. The idea here is not to drive people into court but to keep people out of court. That is fair enough; it is what the

ombudsman's procedure is for. The ombudsman has the ability and power to make a recommendation for an amount, which I believe is unlimited at the moment. His procedure may not be a court in the legal sense of the word, but it has the status of a court, and it certainly has the ability to do as much damage. It could potentially damage the reputation of a defendant as severely as a court. I do not mean that in a disrespectful way to the present ombudsman, who I think has done a terrific job in his tenure.

Clause 46, first of all, states that:

*"The Ombudsperson must lay before the Assembly annually a general report".*

Nobody is arguing with that. We do not have a problem with investigations under section 8, which, for the uninitiated, are investigations that the ombudsman has brought on his own initiative. Nobody has referred to subsection (4) of clause 46, which states that:

*"The Ombudsperson may lay before the Assembly such other reports on the exercise of the Ombudsperson's functions as the Ombudsperson thinks fit."*

That is pretty wide.

I go back to subsection (2), which is the one that we would like to see removed. The effect of it would be that, if the ombudsman thinks that redress is not being provided or is not likely to be provided, he can do a special report to the Assembly and whether it is anonymised, redacted or otherwise it does not make a lot of difference. Mr Maginness is right; in the small country we live in, it is difficult to conceal identities. The effect would be that the report, I believe, in the case of a medical situation, would come to the Health Committee. What on earth is the Health Committee supposed to do with such a report? I will give way to anybody who wants to tell me. All the Committee can do is note the report; it cannot enforce it. It can comment on it, but you would like to think that, in the case of potential reputational damage, it might not wish to comment on the report. The fact is that the action of the ombudsman passing a special report, only on a very special occasion, greatly adds to the weight and effect of the action of having done it. The report goes to the Health Committee, and what is it supposed to do?

The only thing that such an action has the potential to do is to put pressure on the person who was complained against to settle, even though they do not feel that the ombudsman's decision was correct. I am thinking more of the ombudsman, but you could have a situation where a defendant has decided to go to judicial review and, at the same time, perhaps, the ombudsman is preparing a special report. I do not think that there is any need for this. I take note of the fact that other jurisdictions seem to see it differently, but frankly, Mr Speaker, it would not be the first time that we had gone against the practice of other jurisdictions; in fact, we make quite a habit of it here. It is not so important from that point of view.

**Mr Nesbitt:** I thank Mr Lunn for giving way. I just want to make a couple of points, beginning with his last assertion. He has acknowledged that, if we were to remove the subsection, we would be out of step with ombudsmen in adjacent jurisdictions. Is he aware of any pressure coming in any of those jurisdictions to remove the ability of the

other ombudsmen to make special reports? The OFMDFM Committee is not aware of any such pressure.

Perhaps Mr Lunn can tell us whether there would be an enhanced or diminished degree of reputational damage if the aggrieved person were to go to the County Court and prevail over the GP, dentist or whomever they have a grievance against, as opposed to that person being named in a special report to the House. It seems to me that, if you go to a County Court and you lose, the reputational damage will be absolutely massive together with, potentially, some punitive costs.

Finally, Mr Lunn referred to JR 55, which the Committee has considered on a number of occasions. We do not know the outcome as yet, but we know that it is being judged against a different law, so there will be no implications from JR 55 if the NIPSO Bill becomes law.

**Mr Lunn:** I thank Mr Nesbitt for that. As far as the comparison with somebody going to the County Court is concerned, let us put it the other way round. If somebody wants to make a complaint against a doctor, they can do it through the County Court. They do not need to go through the ombudsman. If they go to the ombudsman and the complainant feels aggrieved that the recommended redress has not been provided, obviously they can go to the County Court. Anybody who goes to the County Court in this country would be well aware that they have no protection from publicity or reputational damage. That would be a decision for the doctor, GP, dentist or whomever to make. They would have to make the decision whether the ombudsman was involved or not.

I do not see the point of this step — this link in the chain — where the ombudsman can effectively put pressure on a defendant to settle rather than run the risk of going to the County Court. It does not seem necessary. You are leaning forward, Mr Maginness.

1.45 pm

**Mr A Maginness:** I thank the Member for giving way. Mr Nesbitt raised a point about other jurisdictions that have the power to make a special report, but those jurisdictions do not have the power that currently resides with the ombudsman in our legislation. If the person or body complained about does not settle, the complainant can go to the County Court. No other jurisdiction has that power, and that is a very good reason to make us an exception.

**Mr Lunn:** I thank Mr Maginness for that: it probably illustrates why he is a barrister and I am not. The point is well made. I will go back to it, but I will not keep talking for the sake of it. I would rather listen to people justify why the clause has to be included than have us try to justify why it should be excluded. The weight of argument and the weight of legal reasoning are on our side. The weight of opinion on the Committee for the Office of the First Minister and deputy First Minister and perhaps, eventually, the Ad Hoc Committee is that the subsection is in some way harmless, but I would like to think that we have demonstrated that it has the potential to be far from harmless. I keep going back to the point that there is no need for it. Somebody justify to me why it needs to be in there, rather than the other way around.

I was going to stop, but I will give way to you.



**Mr Nesbitt:** I thank Mr Lunn. I will have one more go at this: the rationale behind having a Public Services Ombudsman is that we are providing an alternative to the courts. You have conceded that the person who is complained about has no protection from adverse publicity if they end up in the County Court. We are trying to offer an alternative to that, and we feel that there is a value in the person complained about, where the ombudsman says that they are responsible for an injustice and have not remedied and will not remedy that injustice, having the prospect of knowing that they could be named in a special report.

**Mr Lunn:** In 95 cases out of 100, the clause will not have to be invoked, and they are not all medical situations. I would like to think that it will never have to be used. However, there are bound to be situations in which a defending doctor feels aggrieved about the outcome of an ombudsman's investigation and perhaps about the size of the award or the amount of redress, which, as somebody already said, could extend from a handshake and an apology to a five-figure sum of money changing hands.

As I started off by saying, in the legislation as it is framed, there might not have been an opportunity for legal representation. I do not want to talk about another clause when Members should be talking about this one, but, that having been said, the ombudsman currently has the discretion to allow for legal representation. Halfway through his own process, he might decide that that is necessary, by which time the defendant might have done himself some disservice with the outcome, which he might not have done had he had legal advice. The two things are linked, if you do not mind me linking them publicly.

I cannot think of much else to say. I really believe that this is an unnecessary clause in otherwise good legislation. I have no quarrel with any other amendment that I am aware of, except perhaps amendment No 75, which we will come to. I hope that the House will think about clause 46, and, if anyone else is going to speak to it, I would like to hear their justification for including it.

**Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** The Chair of the Committee for the Office of the First Minister and deputy First Minister has set out clearly the Committee amendments. They are largely technical in nature and will improve definitions and processes that will be created by the Bill. He also set out clearly the Committee's position with regard to amendment No 139. I therefore commend the Committee for OFMDFM's positions on the amendments to the Assembly.

**Mr Speaker:** Thank you. That was short and sweet.

*Amendment No 12 agreed to.*

**Mr Speaker:** Amendment Nos 13 to 20 have already been debated. By leave of the Assembly, I will group the amendments for the Question.

**Clause 5 (Power to investigate complaints made by a person aggrieved)**

*Amendment No 13 made:*

In page 2, line 34, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 6 (Power to investigate complaints referred by a listed authority)**

*Amendment No 14 made:*

In page 3, line 10, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 7 (Acting on behalf of a person aggrieved)**

*Amendment No 15 made:*

In page 3, line 28, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 16 made:*

In page 3, line 31, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 17 made:*

In page 3, line 33, leave out first "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 18 made:*

In page 3, line 33, leave out second "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 8 (Power to investigate on own initiative)**

*Amendment No 19 made:*

In page 3, line 39, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 20 made:*

In page 4, line 7, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 21 made:*

In page 4, line 11, leave out "clinical or".— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Mr Speaker:** Amendment Nos 22 to 27 have already been debated. By leave of the Assembly, I will group the amendments for the Question.

**Clause 9 (Criteria for own initiative investigations)**

*Amendment No 22 made:*

In page 4, line 16, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 23 made:*

In page 4, line 19, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

# **Clause 10 (Alternative resolution of complaints)**

*Amendment No 24 made:*

In page 4, line 21, leave out first “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 25 made:*

In page 4, line 21, leave out second “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 26 made:*

In page 4, line 24, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

# **Clause 11 (Purposes of investigation)**

*Amendment No 27 made:*

In page 4, line 32, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

# **Clause 12 (Listed authorities)**

*Amendment No 28 made:*

In page 5, line 5, leave out “First Minister and deputy First Minister acting jointly” and insert “Office of the First Minister and deputy First Minister”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 29 made:*

In page 5, line 11, leave out paragraph (a).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 30 made:*

In page 5, line 33, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Mr Speaker:** The next item on the Order Paper is Question Time. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm.

*The debate stood suspended.*

*The sitting was suspended at 1.53 pm.*

*On resuming (Mr Principal Deputy Speaker [Mr Newton] in the Chair) —*

**2.00 pm**

# **Oral Answers to Questions**

## **Education**

**Mr Principal Deputy Speaker:** Questions 2, 4 and 6 have been withdrawn.

## **Educational Underachievement**

1. **Mr Humphrey** asked the Minister of Education to outline the measures he has taken, and plans to take, to address educational underachievement in working-class communities. (AQO 9202/11-16)

**Mr O’Dowd (The Minister of Education):** I am determined to take action to break the link between social disadvantage and educational underachievement wherever it exists. I have the correct policies in place, and those are being implemented with renewed vigour. I have provided additional resources to schools serving those most at risk of underachieving. Funded programmes have been implemented to improve literacy and numeracy outcomes. I have also provided funding to support programmes aimed at improving school/community links. The Education Works programme highlights the vital role that parents can play in helping their child to do well at school and improve their life chances.

I am encouraged when I see communities where formal education has not traditionally been prized now recognising that education is the path to success in the future. Other programmes impacting positively on addressing educational inequalities and underachievement include the revised SEN and inclusion framework; the full implementation of the entitlement framework; Sure Start; the early years fund; and the Achieving Belfast and Achieving Derry-Bright Futures programmes. However, while some schools persist in the use of academic selection, we will be unable to eradicate social division. The political proponents of social and academic selection must start accepting responsibility for all its outcomes, especially for working-class children. 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 to achieve greater equality in society.

**Mr Humphrey:** I thank the Minister for his answer. I also thank the Minister for the interest he has taken in education in the greater Shankill and north Belfast area.

The Minister will be aware of the children and young people’s zone in greater Shankill. He will also be aware of the recent report by the Equality Commission that presented inequalities in education based on data from 2011-12. Recently, my colleagues and I met Alan Logan and Emlyn Wright from the two Model Schools. Will the Minister join with me in congratulating the principals of those schools, and of Hazelwood College in north Belfast, on the leadership that they are giving? Is the Minister prepared to give greater resources for the retention of the

extended schools programme, which is so hugely needed in constituencies like North Belfast, inner East Belfast, South Belfast and West Belfast?

**Mr O'Dowd:** I have no difficulty in acknowledging the hard work of the principals in the schools that you mentioned. It is clear when you see connections between schools and communities that the educational well-being of children in the area improves. There are many good examples of that. I have significantly increased funding to schools in areas of social deprivation over the past year. It will take a while for that money to be managed in a way that shows the positive outcomes for children that we want to see; I am not expecting an immediate return on it. That will take a number of years, and schools, the Department and the Education Authority are working together to plan towards that.

I have done my best in difficult budgetary times to protect the extended schools budget. We face another difficult budget scenario for 2016-17 and beyond, but, as long as I am in post, I can assure you that I will do my utmost to protect the extended schools budget.

**Mr Hazzard:** I thank the Minister for his answers thus far. I welcome the original questioner's acceptance of the effect of targeting social need in areas such as the Shankill, but remind the questioner that he voted against changes to the common funding system and that it is important to show leadership. So I ask the Minister: how is it now important to show leadership, especially when it comes to academic selection, in areas such as the Shankill?

**Mr O'Dowd:** As I said, if you support academic selection, you have to support all outcomes of academic selection. The evidence shows clearly that academic selection has a detrimental impact on young people from socially deprived areas. I do not know what the positive outcomes are, but people tell me that there are positive outcomes. If you support those, you also have to acknowledge that the negative outcomes from academic selection also exist. There is a large evidence base to show the detrimental impact that it has.

The Shankill was mentioned by the original questioner. In fairness, the community sector and community organisations in the Shankill have taken ownership of education in the area. I was at a report launch the other night in west Belfast where the community and schools have been working together. The very impressive results coming out of post-primary schools there are all down to cooperation, working in partnership, identifying each other's strengths and weaknesses and being prepared to work together. Leadership is vital in the school and classroom, as well as in the community and in the political forum, to ensuring the best outcomes for young people.

**Mr Rogers:** I thank the Minister for his answers thus far. What professional opportunities are there for our teachers to upskill in literacy and numeracy and be made aware of the good practice that is out there? My concern is that many of the good projects, for example, Achieving Belfast and Achieving Derry, are not disseminated well enough.

**Mr O'Dowd:** Numeracy and literacy are core skills in teaching and in our education system. I acknowledge the need for continuing professional development in our teaching workforce, but it should be across a wide range of areas. Core skills should be updated, but they should be there from the very start. Under the Delivering Social Change programme, we brought newly qualified teachers

into schools as an additional resource, and they were used directly as a numeracy and literacy support or to allow a more experienced or qualified teacher to deal with numeracy and literacy. We learned lessons from that, and, through the Education and Training Inspectorate (ETI), those experiences are being shared to ensure that best practice is delivered across schools.

As resources become more and more stringent, we will have to reach the point of using our main resource as the key lever to eradicate educational underachievement and numeracy and literacy problems, rather than seeking out schemes or additional funds. We will have to start using our core funding more strategically and effectively to ensure that we get a return on it.

**Mr Lyttle:** Does the Minister agree that education, health, community and business sector partnerships are key to improving educational outcomes? Can he give to the EastSide learning partnerships and learning framework the same positive support as he has given to the Full Service community network in north and west Belfast?

**Mr O'Dowd:** EastSide is another positive development not only in community infrastructure but in educational output. I have attended a number of events and have met the group. I am impressed by its work and involvement in education in the community. A lot of good work is going on out there. It is worth noting that, from 2007, the percentage of young people leaving school with five good GCSEs has risen by almost 10%, so the policies, the commitment and the work are beginning to pay off for our young people. The percentage of young people on free school meals leaving schools with five or more good GCSEs has risen by almost 8% in the same time frame. We have a lot of work to do there, but the graph is moving in the right direction, and there are many different aspects to why that is the case.

### Markethill High School, Armagh

3. **Mr Irwin** asked the Minister of Education for an update on plans for a new build for Markethill High School, Armagh. (AQO 9204/11-16)

**Mr O'Dowd:** A new build for Markethill High School was considered for my June 2014 capital investment announcement. Unfortunately, the proposed project did not pass one of a number of gateway checks, on the basis that the school's enrolment was below the sustainable schools threshold. Should there be a further announcement for either the major capital or school enhancement programmes, the school will have the opportunity to reapply for consideration at that time.

**Mr Irwin:** I thank the Minister for his response. He said that the enrolment was not high enough. Markethill High School is at its absolute maximum in relation to the number of pupils that it accepts. Does the Minister accept that Markethill High School has consistently delivered some of the best results anywhere in Northern Ireland?

**Mr O'Dowd:** Markethill and the Armagh city area require an area planning solution to ensure that we know exactly the make-up of the school estate from this point forward. That will allow me as Minister, or my successors, to invest in the Armagh and Markethill area. At the moment, we do not have an area plan for the secondary/post-primary

sector, and I encourage everyone involved to come to a conclusion on the discussions around that.

Yes, I do congratulate the school on its excellent exam results.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Thank you, Mr Principal Deputy Speaker. What projects are in the major capital programme in the Newry and Armagh area?

**Mr O'Dowd:** I thank the Member for his question. There are several programmes of spend in the Newry and Armagh area. The following schools are benefiting from the school enhancement programme: St Patrick's Grammar School Armagh, which is on site; Our Lady's Grammar School, Newry; Rathore School, Newry; and Armstrong Primary School, Armagh — the tender has been awarded. Two of the major projects are on site; one is at feasibility stage, and one is at business case stage. Also benefiting are St Joseph's Convent Primary School, Newry; St Clare's Abbey Primary School; St Colman's Abbey Primary School, Newry; St Joseph and St James Primary School, Poyntzpass; and St Joseph's High School, Crossmaglen. There is an estimated value of £44 million of capital investment in the Newry and Armagh constituency, on site now or in the foreseeable future.

**Mr Kennedy:** I thank the Minister for his earlier, albeit somewhat disappointing, answers. I declare an interest in that my wife is employed at Markethill High School. Does the Minister accept that his news to the Assembly today will be greeted with great disappointment, given that Markethill High School is a very well-regarded and high-achieving school in the mid-Armagh area? Can he look at the criteria again? The school estate at Markethill is no longer in a fit and proper condition to educate the pupils who are already there.

**Mr O'Dowd:** I thank the Member for his question. I understand that my statement today will come as a disappointment to Markethill High School, although not, I think, as a surprise, because they were aware of the situation.

There are many schools in our schools estate that require significant investment or a complete rebuild. The way that we have been moving forward over the last number of years is through the area-planning process to ensure that when we invest significant public funds in the schools estate we can be confident that a school is situated in the right area — I am not suggesting that Markethill High School is not, but I am giving a broad answer, rather than one specifically about Markethill or Armagh city — and that we know the numbers that the school will be catering for into the future. That has to be based on an area-planning solution.

As the Member, and other Members of the constituency, is aware, there has been an ongoing stop-start discussion on the future of education in that region. I encourage political representatives from all political parties to use their influence to ensure that those discussions come to a conclusion and that the needs of all the young people in that area are met. It will allow this Minister, and future Ministers, to invest in the area.

**Mr D Bradley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra a thug sé dúinn ar an cheist áirithe seo. Thank you, Mr Principal Deputy Speaker. I thank the Minister for his answer. He referred to area-based planning

in relation to Markethill High School, but does the Minister agree that area-based planning in the south Armagh area has been completed and that there is good cooperation between St Paul's High School, Newtownhamilton High School and St Joseph's High School, Crossmaglen? Can he also give an indication of the progress on bringing forward a new build for St Joseph's, Crossmaglen?

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhalta as a cheist. I thank the Member for his question. I have already announced a new build for St Joseph's High School in Crossmaglen. You pointed out why I could make such an announcement: area planning has progressed in the south Armagh area, and there has been engagement between the various schools. As we know what size of schools estate we need, we can invest in it. My announcement on St Joseph's stands. Preparatory work for the new build is moving forward.

## Levels of Progression: Industrial Action

5. **Mr McMullan** asked the Minister of Education to outline the progress made to resolve an industrial action over levels of progression in schools. (AQO 9206/11-16)

**Mr O'Dowd:** Over the last number of weeks, I have met the NITC — the Teaching Council — representatives on three occasions. I am encouraged to report a shared acknowledgement that teacher judgement is the best means of determining and reporting on a child's progress, and a growing acceptance that the application of standards through moderation is intended to assist teachers to use the levels of progression in the classroom with confidence. I have listened to the views and concerns of the NITC, and they have listened to mine. More importantly, I have demonstrated that I am prepared to act to address them.

## 2.15 pm

With that in mind, and given our common ground, it is my view that there can now be no possible justification for the continued industrial action in that area. Therefore, on 22 October I wrote to the Teaching Council, which represents all the unions, to set out the significant steps I am prepared to take on the end of key stage assessment arrangements from 2015-16, recognising that the assessment arrangements must evolve as they embed. In return, I requested that the NITC agree to bring the current industrial action in relation assessment to an end, which will allow us to move forward together.

I am encouraged to note that the National Association of Schoolmasters Union of Women Teachers (NASUWT) has now suspended its industrial action in relation to statutory assessment. I understand that the Irish National Teachers' Organisation (INTO) and the Ulster Teachers' Union (UTU) have written to schools that were successful in the first call for applications for the shared education signature project to advise that they can now comply with the assessment process. I encourage those teaching unions that are still on industrial action to give the matter their urgent attention.

**Mr McMullan:** Go raibh maith agat. I thank the Minister for his answers. Will he outline which unions, if any, have responded to his proposals?

**Mr O'Dowd:** The unions that have responded in a positive manner are the NASUWT, the INTO and the UTU. The Association of Teachers and Lecturers (ATL) has advised



me that it will continue with its industrial action, and the National Association of Head Teachers (NAHT) was not involved in that specific industrial action.

We have made progress. If other unions follow the examples of these unions thus far, it will give us space to continue discussions. It will also allow the assessments to begin. As I have said repeatedly in my discussions with the unions, we need to allow the process to begin. The process will evolve over a period of time to ensure that we achieve the best education possible for our young people and have the correct way of recording and using data for that purpose. That is what we all want.

**Mr Weir:** Given that, at the heart of it, there seems to be a lack of confidence in levels of progression as a means of assessment; when the Minister talks about an evolving situation, is one of the bits of evolution that has to occur an examination of alternative means of assessment as we move forward?

**Mr O'Dowd:** I am not keen to examine alternative means of assessment when we have not used the current assessment processes that are in place. I have been able to deal with the vast majority of genuine concerns that have been raised by the unions about levels of progression.

As I said to Mr McMullan, for the process to evolve it has to begin. I welcome the fact that a number of unions are suspending their industrial action. We will let it begin, discussions between my Department and the unions will continue, and we will achieve an assessment process that meets the needs, first and foremost, of our young people, and of our education system, our teachers, our Department of Education and all other bodies.

I was in Wales and Scotland recently and had the opportunity to discuss various forms of assessment with the Welsh and Scottish Ministers. They vary. In Scotland, they use a test and may move to a singular test. Wales uses an assessment process as well. There are different examples as to how it can be achieved. I welcome the suspension of industrial action by some of the unions. To give confidence to the system, let us get the process moving forward and ensure that we end up with an assessment that we are all satisfied with.

**Mrs Overend:** I thank the Minister for a response on the matter. I could not hear all the answer, with the speakers in this part of the Chamber, but I wonder could he —

**Mr O'Dowd:** The rowdy corner.

**Mrs Overend:** It is more to do with the sound system than my colleagues. Will the Minister clarify whether there is a change to what schools will have to do as part of the statutory process going forward?

**Mr O'Dowd:** Yes. I have had discussions with the unions and have listened to their concerns. Moderation was a concern.

I outlined to schools that moderation will now take place within the school and among a cluster of schools in that area to ensure that each school's marking regime is fair, adequate and understood by the schools around it. The level that the school uses for each element of work will actually be worked out, first, within the school and, then, among the schools surrounding it.

What is the data used for? There were concerns among the unions that the data would be used as a blunt tool to target schools as underachieving. I have reassured the schools that that will not be the case. I have asked for data to be returned to my Department in a way that will not allow me to identify individual schools but will allow me to identify trends across our education sector to be used to ensure that our policies are correct and are achieving the traction that we all want to achieve. Those are just two areas.

There are concerns about the workload around the portfolio. I have engaged with the unions around that. I believe that the measures we have put in place will ease the pressures on the teachers' workload as well.

There are many different views on what type of assessment you should use. Some would argue that you should use a simple test, and there are systems that use a test. In Scotland, the different authorities may use slightly different tests, and there may be a proposal to bring forward a single test, but the concerns raised there are my concerns around the test: you teach to the test. What I am trying to achieve is an assessment that is based on the professional judgement of the teacher on work from the curriculum that the child will do in the class.

Teachers were concerned that maybe they would score it right but the school down the road would not. I think that, if we bring schools together in clusters and they discuss and debate what a level 2, level 3 or level 4 looks like, there will be confidence among schools that it is being scored correctly. As I have constantly said and have said during this Question Time, we need to have the assessment in place for it to evolve into what we want it to achieve. Now that the unions have suspended their industrial action —

**Mr Principal Deputy Speaker:** I remind the Minister of the two-minute rule.

**Mr O'Dowd:** OK.

**Mr Dallat:** I thank the Minister for his answer. Will he agree with me — perhaps in simple English, using words of no more than two syllables — that the levels of progression were used as an accountability measure, which eroded any possible use they might have had as an assessment or learning tool?

**Mr O'Dowd:** What is wrong with a Department of Education or Education Authority having an accountability mechanism? How do we ensure that our young people receive the educational opportunities they should receive? I make no apologies whatever for seeking accountability tools. I have sat in front of the unions and told them that I make no apologies for seeking accountability tools. It is how those accountability tools are used that is a cause of concern to the unions. The unions, in fairness to them, are not shying away from accountability either. It is about how and for what purpose accountability is used. They were concerned that levels of progression would be a blunt tool to identify schools as underachieving and, therefore, all the power and force of the Department of Education would fall down upon them. I have assured the unions that that is not the purpose of them. I have put changes in place that will ensure that that is not the purpose of them. The purpose of levels of progression is to ensure that our young people's education is up to the standard that it should be — measured by teachers.

## Careers Advisory Forum

7. **Ms McGahan** asked the Minister of Education to outline the progress made in establishing a careers advisory forum. (AQO 9208/11-16)

**Mr O'Dowd:** The inaugural meeting of the careers advisory forum took place on the 12 November 2015, and feedback from the day has been very positive. Minister Farry and I established the forum in response to a recommendation from the independent review of the careers system. The forum's role is to advise both Departments on current and future careers provision and facilitate engagement between employers, educators and other key stakeholders at both a system level and a local level. Membership is made up of representatives from business and education and other stakeholders, such as parents. It is chaired by Judith Gillespie, and I am grateful to Judith for taking on that challenging and important task.

**Ms McGahan:** I thank the Minister for his response. Can I ask him for a potential time frame for the implementation of the recommendations pertaining to DE from the report? Go raibh maith agat.

**Mr O'Dowd:** The Employment and Learning Minister and I are working our way through the recommendations. I am due to meet the Employment and Learning Minister shortly for further clarification of the recommendations etc, so those discussions continue. I cannot put a time frame on it, but I assure you that we are working with the Employment and Learning Minister around that report.

**Mr Campbell:** Can the Minister reassure the House and the public that sufficient steps will be taken at the careers advisory forum to ensure that the suitability and appropriateness of positions in the public and private sectors will be borne in mind when schools look at the projects?

**Mr O'Dowd:** I want to reassure the Member of that. If he has any specific issues that have caused him concern, he is more than welcome to engage with me after Question Time. To date, however, I have had no reason to believe that anything other than complete professionalism is taking place at the forum, which will be professional in its work and delivery.

**Mr Swann:** I thank the Minister for bringing this forward as a recommendation from the Employment and Learning Committee's inquiry into careers. Has he considered our recommendation to make careers a statutory obligation and the potential of putting that in, maybe, in years 10, 12 and 13?

**Mr O'Dowd:** As I have said previously, I am reviewing all the recommendations from the DEL careers strategy and will respond to them in due course.

## November Monitoring Round

8. **Mr Hazzard** asked the Minister of Education to outline how his Department will benefit from the recent November monitoring round announcement. (AQO 9209/11-16)

**Mr O'Dowd:** Across the education sector, we continue to deal with a very challenging budget situation. The additional £15 million in-year allocation will be spent equally on school maintenance, special education and funding the drawdown of schools surpluses. School maintenance is an area of the budget that continues to be under pressure due to an ageing schools estate. The

additional allocation will be used to address outstanding health and safety maintenance issues. Special education is also a growing cost pressure in the education sector. Therefore, additional funding will assist special education needs for pupils in both mainstream and special schools. In June 2011, the Executive agreed the schools surplus scheme, which allows schools to either draw down or increase their surplus. That is funded from a central pot controlled by the Executive. The £5 million allocation to fund schools surplus drawdowns enables schools that wish to reduce their surplus during 2015-16 to fund in-year expenditure. I am committed to protecting and, where possible, enhancing front-line services in education. I therefore welcome the additional £15 million, which will go some way to easing the financial pressures in education.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answer. He referred to the "central pot" of school surpluses. Will he detail how much is in that central pot?

**Mr O'Dowd:** Currently, £36.7 million in surpluses built up by schools over a number of years is held in that central pot. It can and should be drawn down to assist schools in delivering the educational provision that their young people require. It is quite a significant amount that has largely stayed in and around the same over the past number of years, even though we have gone through a very difficult budgetary period. I encourage schools to keep their surplus to a minimum and to use it to assist their young people's educational needs. Obviously, I do not want a run on the bank. I do not want a £36 million download at this stage. However, over the next years, surpluses will certainly require further and more detailed attention.

## School New Builds: East Londonderry

9. **Mr Campbell** asked the Minister of Education to outline the submissions made by primary schools in East Londonderry for new school builds since 2012. (AQO 9210/11-16)

**Mr O'Dowd:** Since 2012, five primary schools have been submitted for consideration in major capital announcements: Ballykelly Primary School; Listress Primary School, which is part of the amalgamation of Mullabuoy Primary School and Craigbrack Primary School; Mill Strand Integrated School, Portrush; Roe Valley Integrated Primary School; and St Patrick's Primary School, Portrush. Of those, two schools have been announced to be advanced in planning for a new build: Listress Primary School, announced in January 2013, and Roe Valley Integrated Primary School, announced in June 2014.

**Mr Campbell:** It is early days since the working tax credit money amounting to some £240 million over four years landed on the Executive's desk, but has the Minister had an opportunity to turn his mind to any application for sums from that source to further some of those capital build programmes?

**Mr O'Dowd:** The Member will be aware that the money set aside for tax credits is revenue. I seek capital, although I looked at the Chancellor's announcement and noted that capital was increasing for the Executive. I will put on a major lobby for an increase in the Department of Education's capital fund for the next year.

It took a dip this year.

I will also be seeking revenue for education from whatever source I can achieve it. The Executive will be discussing what we do with the £250 million or £260 million that was set aside for working tax credits. I will involve myself in those discussions, and I can assure you that I will always have an eye on getting more money for education.

## 2.30 pm

**Mr Principal Deputy Speaker:** That ends the period for listed questions. We now move to topical questions.

### Education for Children with Autism

T1. **Mr McCarthy** asked the Minister of Education whether, since the introduction of the Autism Act (Northern Ireland) 2011, he is satisfied that his Department has lived up to the expectations of parents and guardians of children with autism that they can get the education most suited to their needs when they need it. (AQT 3201/11-16)

**Mr O'Dowd:** Yes, I am. We have policies in place that, by and large, deliver for the needs of our young people with autism and their family.

The Member will be aware that we are bringing the Special Educational Needs and Disability (SEND) Bill to the House for its Consideration Stage tomorrow, which I hope will lead to an improvement in the delivery of education services across the entire range of young people with special educational needs. The Member will also be aware that the £5 million that we received as part of the November monitoring round will go a long way to easing some of the pressures in that area.

**Mr McCarthy:** I thank the Minister for his response and very much welcome the extra funding going into the sector. Importantly, is he aware that, when parents and guardians seek education for their youngsters, the provision is frequently not available, and it is certainly not available when it should be? Delays are, and have been, the big bugbear for parents of children with autism.

**Mr O'Dowd:** I do not necessarily agree that it is "frequently not available". We have many fine special educational needs schools that service the needs of our young people, including those with autism. We have many autism classes much autism provision in our mainstream schools as well.

Where there have been delays and where the system has let families and young people down, I accept that that is totally unacceptable. We have to continue to improve our delivery of services to the most vulnerable in our society. I hope that the SEND Bill goes a long way towards doing that.

I have ring-fenced special educational needs funding over the past number of Budgets, and it is my intention to do so again. As I said, I will always seek further funding for special educational needs.

### Secondary Enrolments: North Belfast and Greater Shankill

T2. **Mr Humphrey** asked the Minister of Education to look at varying the intake numbers for the Girls' Model, the Boys' Model and Hazelwood Integrated College, which were oversubscribed this year, with the Girls' Model oversubscribed by almost 30 young ladies, to allow more local young people to attend local secondary schools,

given that the population in the primary schools in north Belfast and the greater Shankill is growing and that this will continue to be a problem. (AQT 3202/11-16)

**Mr O'Dowd:** There are a number of ways of dealing with that, the first of which is through the numbers allocated to schools each year. We write out to each school every year, asking it whether it requires or is seeking a change to its entry numbers — an increase or a decrease — and, if so, the rationale for that. Secondly, it can be dealt with through a development proposal being brought forward to manage area-planning needs, but that is a matter for the Education Authority.

**Mr Humphrey:** I thank the Minister for his response and welcome it. I make one point to him: it is very difficult for principals. As I said during listed questions, we have met the local principals to do planning when they do not have the places available to facilitate the young people who are being drawn from across Belfast because of the lack of state secondary schools.

**Mr O'Dowd:** I am not placing the entire responsibility on the principals. The schools are run by boards of governors, and there is a role for the boards of governors in the programme. When I talk about area planning, I am talking about it from an Education Authority level. Those are controlled schools, for which the Education Authority is responsible. The schools should be planning for the future needs of young people in their area. If there is a shortfall in the numbers projected, I expect the Education Authority to bring forward plans to rectify that.

### School Enrolment Numbers

T3. **Mr Clarke** asked the Minister of Education how his Department gathers data on school places, given that he will be familiar with the recent PAC report on school places and how they are calculated. (AQT 3203/11-16)

**Mr O'Dowd:** As a former Chairperson of the Public Accounts Committee, I know that it is more than my job is worth to comment on a report before the Department and the Department of Finance and Personnel have had a chance to formally respond.

**Mr Clarke:** As a former Chairman, you may be aware that this report indicates that the figures are inflated and that it does not allow for modern teaching methods. The figure that your Department uses in relation to the number of empty places is actually a false figure. What is your Department going to do to rectify that and print an accurate figure for whatever the schools estate has?

**Mr O'Dowd:** I do not want to go into the specifics of the PAC report but, whatever figure you use, we have too many empty school places. However, we do not use the universal figure when we are judging the schools estate in any area. For instance, if a development proposal comes forward to me to close a school, we will have accurate, up-to-date figures for each of the schools in that locality. We will know exactly what empty or full places there are in those schools. If a proposal comes forward to me to open a school, I will know what the accurate up-to-date data is in each area. Whatever the universal figure may or may not be — we will respond to the PAC on that in due course — the way that we develop our schools estate is with up-to-date data and information. Therefore, I believe that we can accurately reflect the position in any area when making decisions around area planning.

## Education Budget: PPP Schemes

T4. **Mr Rogers** asked the Minister of Education whether he shares the recently expressed concerns about the cost to the Education budget of PPP schemes and to state whether there has been any renegotiation of those contracts. (AQT 3204/11-16)

**Mr O'Dowd:** The original PPP schemes were actually the subject of a PAC report during my time there. Yes, lessons have been learned from those original pathfinder PPPs. I have not been involved — to the best of my knowledge, the Executive have not involved themselves — in any PPP schemes during this mandate. If we are to move into that territory, we will have to take best practice from elsewhere around these islands and perhaps across Europe to ensure that the public sector, rather than simply the private sector, is a beneficiary. We have not had an opportunity to renegotiate contracts. They are legal contracts. I could spend a significant amount of time hiring legal and other expertise to renegotiate something, or I can move forward in trying to deliver the services with the limited resources that I have.

**Mr Rogers:** I thank the Minister for his answer. Officials at a recent Education Committee meeting said that over 50% of their costs are utility costs. Will you outline what they mean by utility costs?

**Mr O'Dowd:** It depends on each contract for each school. I assume that they are referring to service level agreements with the schools around keeping the schools in pristine condition. I have been around a number of PPP projects that are several years old in very busy schools, and I have to say that they are pristine; they are like they were the day they were built. I have a major maintenance backlog. When I walk around a PPP project and see how well they are kept, I know that I am not going to have to spend any maintenance on those, so there is a cost offload in maintenance against utility costs etc. I am more than happy to supply the Member with a full breakdown of what that terminology covers.

## Controlled Sector Support Body

T5. **Mr Campbell** asked the Minister of Education to outline the work expected of the controlled sector support body. (AQT 3205/11-16)

**Mr O'Dowd:** It is set out in an Executive agreement that the controlled sector support body is there to support controlled schools in the delivery of education and to give them a coordinated voice and approach in areas of concern and opportunity.

**Mr Campbell:** Would the Minister, then, be content if the support body were to ensure, for the present and the future, that parity of funding in capital and revenue is uppermost in its mind and, hopefully, concentrate the mind of this Minister and future Ministers on that aspect as well?

**Mr O'Dowd:** The body's work programme in ensuring parity where I am concerned will be very short because my record speaks for itself. I have published criteria for new school builds. I have made announcements around new school builds based on those criteria. While many cases of legislation take place in education, I have never been challenged in the courts over any decision that I have made around a capital build. That speaks for itself; my processes are open and transparent and, while people might not always like the decisions, they realise that people are getting a fair deal.

## Primary Schools: Islandmagee

T6. **Mr Lyons** asked the Minister of Education, given that he knows that Islandmagee needs a new primary school and the fact that, in 2014, he said that a development proposal for the amalgamation of Kilcoan and Mullaghduh primary schools had been approved in 2004 and remained in place, with responsibility for implementing the proposal to bring the schools together resting with NEELB, which has happened, albeit that Kilcoan and Mullaghduh will be amalgamated from September 2016 but on different sites, to give an update on the funding for a new build for a new Islandmagee primary school. (AQT 3206/11-16)

**Mr O'Dowd:** I am looking through my notes because I think that there is a question for oral answer on that matter that I did not get to. I am more than happy to give the Member a written update on the building programme. I announced it previously, but there was a change of mindset in the then education and library board, which meant that the programme was delayed. There have been many twists and turns in the road for those schools. Once I have definitive decisions in front of me, we can move on towards ensuring that the school receives a new build.

**Mr Lyons:** I thank the Minister for his answer. This issue has been going on for the best part of a decade. Further to his answer, will he commit to meeting me, other elected representatives and members of the board of governors to discuss why the new build for Islandmagee should be a priority for his Department?

**Mr O'Dowd:** I am happy to do so.

## New Builds: Lurgan

T7. **Mrs D Kelly** asked the Minister of Education, given that he will be aware of the considerable challenge of the amalgamation of St Michael's, St Mary's and St Paul's in Lurgan, for an update on the two-site interim development bid that has been submitted in advance of a new school being built on the site of St Ronan's. (AQT 3207/11-16)

**Mr O'Dowd:** I am also aware of the huge opportunities that have arisen as a result of the amalgamation of those three schools. It is heart-warming to see young people in the Catholic sector in Lurgan attending one school in the one school uniform, which is a major step forward for education in the area. Any proposal that is brought forward to me on a two-site solution ahead of a full build, which I have announced — there will be a new build for that school — will be looked at against any other pressures at that time.

**Mrs D Kelly:** In the interim, will the Minister write to me formally to let me know when a decision may be reached or when he may consider the development proposal, which, I understand, is with the Department, as an interim measure before a new school is built on the site of St Ronan's, which, let us face it, was announced by your predecessor in 2010?

**Mr O'Dowd:** I think that you will find that I announced the new build.

**Mrs D Kelly:** No, actually —

**Mr O'Dowd:** I think that you will find that it was me who announced the new build. The development proposal for the schools to amalgamate was also approved only two years ago. So an announcement has been made, and progress is being made towards a new build, which



perhaps will be one of the biggest schools in our portfolio. It will provide education for future generations in the Lurgan area. I am more than happy to write to the Member to update her on the current position.

### Polycentric Inspection Report: West Belfast

T8. **Mr Maskey** asked the Minister of Education what lessons can be learned for other areas following the publication of the ERASMUS polycentric report on educational achievement in west Belfast. (AQT 3208/11-16)

**Mr O'Dowd:** Any community that is interested in raising educational outcomes for its young people should study that report and listen to the testimony of teachers, pupils and community activists in that area to see how their working together, breaking down the barriers of concern about sharing best practice between schools and so on, and ensuring that they are working with a community has been to the benefit of young people in west Belfast.

**Mr Maskey:** I thank the Minister for that. Will he continue to give leadership in working with all the other relevant educational authorities and agencies to try to make sure that we roll out such successful programmes in the future, as he has been doing for some time?

**Mr O'Dowd:** One of my themes throughout my time as Minister has been to say that, despite having excellent teachers and school leaders, they cannot do this on their own. If we are to raise educational outcomes for young people, particularly in areas of social deprivation, there has to be community involvement. The old African saying that goes something along the lines of:

*"It takes a village to raise a child"*

is very apt in these circumstances.

### 2.45 pm

The ERASMUS study showed that schools work together and self-evaluate. I think that one of the main findings was that schools were self-evaluating their own work and sharing their best practice with neighbouring schools, coming together through area learning communities at nursery, primary and post-primary level and ensuring that everyone felt comfortable and involved. Working with the community sector has ensured that the qualifications of young people coming out of west Belfast have been on the up every year over the last five or six years. When you look at all the socioeconomic indicators in west Belfast, they tell you that young people there are disadvantaged, and most likely to be disadvantaged in their educational outcomes. What has actually happened there is that the community and education sectors have refused to set the destinies for those young people and have set out a pathway and a work programme that have given them excellent opportunities in life.

## Employment and Learning

**Mr Principal Deputy Speaker:** I must inform the House that questions 3, 10 and 14 have been withdrawn.

### Ulster University: Magee Courses

1. **Mr Middleton** asked the Minister for Employment and Learning how his Department will assist the Ulster University Magee campus to ensure courses are protected. (AQO 9217/11-16)

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

While my Department provides funding and sets the strategic direction for the higher education sector, universities are autonomous and wholly responsible for decisions on course offerings and where the courses are delivered. The institutions are at liberty to deploy their funding across their various campuses, where applicable, and on the different courses that they offer. In deciding which courses to close or scale back, the Ulster University took a number of factors into consideration, including the priorities of my Department, such as protecting narrow STEM provision; student demand; attrition rates; student satisfaction; employment statistics; and research performance. The university has also consolidated teaching provision into its campuses to facilitate the necessary reduction of staff numbers without impacting on the quality of teaching, which remains paramount.

**Mr Middleton:** I thank the Minister for his answer. Later this week, I will meet the vice-chancellor Paddy Nixon to discuss these matters. Does the Minister agree that, whilst we all want to see the university at Magee expanded, it is vital that the courses that are on offer are focused on the needs and demands of the area, specifically computing and health and social care?

**Dr Farry:** I wish the Member success with his meeting with the vice-chancellor. I am sure that it will be very productive. In respect of his supplementary question, the Member should take some degree of comfort that, while we are going through some very difficult times, the university has sought to consolidate particular types of courses at particular campuses rather than spreading them out. In that way, it is trying to stretch itself that little bit further to protect the range of courses that is on offer and also the number of places that can be facilitated. Indeed, it has consolidated engineering and computing into the Magee campus, which hopefully will reinforce its relevance in particular to the opportunities to expand the economy in the north-west.

**Ms Maeve McLaughlin:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for that update. Specifically, can he give an update on the current business case for the Magee expansion and indeed where he thinks the expansion issue will sit in the restructuring of Departments?

**Dr Farry:** First of all, with regard to the business case, we have asked for further clarification on a number of points. That request was made by my officials at the beginning of July. We have yet to receive the revised business case. I encourage those who are finalising it to get it to us as quickly as possible, given, not least, that decisions on budgets are looming. Ultimately, the issue of the expansion lies with higher education. As the Member will appreciate, higher education is set to be part of the new Department of the Economy from May 2016 onwards.

**Mr Swann:** The Minister referred to the relocation of courses to Magee. Can he say what is actually happening to psychology courses?

**Dr Farry:** My understanding is that psychology is being redirected to Coleraine. The process of consolidation at Magee is being reflected in similar decisions that are being taken with respect to the other campuses. As I have outlined already, a strategic approach is being taken that is about trying to maximise the ability to retain as many courses as possible and also to protect as many places as possible. That is a way of maximising the efficiency of the university as far as it can, operating across four different campuses.

## Big Conversation: Update

**2. Mr McGlone** asked the Minister for Employment and Learning for an update on the Big Conversation. (AQO 9218/11-16)

**4. Ms Ruane** asked the Minister for Employment and Learning when he will announce the findings of the Big Conversation. (AQO 9220/11-16)

**Dr Farry:** With your permission, Mr Principal Deputy Speaker, I wish to group questions 2 and 4, and I request an additional minute for the answer.

I launched the Big Conversation on 15 September as an innovative and experimental approach to engaging with people on the sustainability and the future of our higher education system. It concluded on 23 October. The process was designed to be iterative, comprising two main stages themed on a week-by-week basis. The first stage, 'Did you Know?', ran for the first three weeks and focused on raising public awareness of the purpose and importance of our existing higher education system. This was followed by a second stage, 'Have your Say', which launched on 6 October and invited people to put forward their views on some of the most critical issues facing our higher education system.

During the first stage, people were invited to test their knowledge of our existing higher education system through online 'Did you Know?'-style surveys. The second stage was more akin to a traditional consultation. Equipped with the knowledge gained in stage one, people were invited to have their say on a range of issues through a consultation questionnaire. Questions focused on the adequacy and sustainability of our existing higher education funding and delivery systems and whether there might be alternatives that could work better for Northern Ireland.

During the process, my officials and I sought to stimulate debate and engage with people in a wide range of ways. We had formal meetings with stakeholders, and we held workshops, focus groups and a Twitter question and answer session in the penultimate week to answer people's questions directly. Various other stakeholders, including our universities and colleges, promoted the process through their own channels. In the final week, my officials organised a panel discussion to examine some of the different higher education funding and delivery systems maintained in other parts of the world. That event was very well attended and received, and we were fortunate to secure some excellent panellists. Now that the Big Conversation has concluded, building on the evidence presented, I am finalising a paper to present to my Executive colleagues, outlining the ways in which higher education could be sustained in the future.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Mo bhuíochas leis an Aire as ucht a fhreagra.

Thanks very much, Minister, for your response. In what way will secondary-school students, who will be most affected by this, have an input into this consultation process?

**Dr Farry:** The consultation has closed, and I have outlined to the Member the different ways in which people could make their views known. That included online opportunities as well as the opportunity to submit formal responses. I also stress to the Member that, to an extent, he is correct when he talks about secondary-school children being most affected by this, but there are many other stakeholders who will be affected by this situation, including businesses in Northern Ireland and wider society. Our future economic potential will also be affected. What is at stake in what is happening to higher education is extreme, and it is important that, over the coming weeks, the Executive can find a solution that will be sustainable in the long term.

**Ms Ruane:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. Does he accept that proposals to increase tuition fees would have a negative impact on his Department's commitment to widening access to people from disadvantaged areas? We have just heard from the Minister of Education about the increase in the number of young people in west Belfast getting better qualifications. Does the Minister accept that his proposals to increase tuition fees could disadvantage pupils from deprived areas?

**Dr Farry:** First, let me be very clear: I have not proposed an increase in tuition fees. I have simply outlined the fact that our current system is unsustainable. My first priority is to ensure that we have a sustainable system for our future economy and society, and to give young people opportunities. Until we can find a solution on which there is political consensus, all options remain on the table. At this stage, I am not advocating an increase in tuition fees.

On a purely stand-alone basis, I concur with the Member when she says that a rise in tuition fees would have an impact on widening access and deter some from accessing higher education. However, it is only right and proper that we make clear that the cuts that the Executive imposed on my Department, which I, sadly, had to pass on to universities, have already had an impact on people's ability to access higher education. We have a situation in which we have fewer places on offer from this year, which means that some people will be forced to go to Great Britain or elsewhere in the world, often having to pay higher tuition fees than would be on offer in Northern Ireland. In some cases, people have had no opportunity to go to university at all and have lost out on a life-transforming opportunity. We are seeing very real costs already in this respect, and those from the more marginalised and vulnerable sections of our society will be impacted most by the loss of places. While we are hearing potential figures of cuts to Departments coming up, it is important to recognise that, if we see a similar situation arising for our universities for this forthcoming academic year, we will see a further reduction in places, which will have another detrimental impact on people's opportunities and our widening-access targets.

**Mrs Overend:** Does the Minister intend to make his recommendations on the funding of further and higher education this side of the election, or was the Big Conversation a big delaying tactic to avoid potentially unpopular decisions?

**Mr Kennedy:** Hear, hear.

**Dr Farry:** I hear a former Minister who did exactly that in parking a decision to the far side of an election saying "hear, hear". Clearly, we know where the form lies in that regard. I think that my Department was chosen last because the political hot potato of tuition fees was left unresolved until after the Assembly election. What happens is very much in the hands of the Executive and the Assembly, but let me be very clear that I am determined to get this issue resolved. We cannot afford to park this issue; our universities are bleeding already. We have issues that, if unresolved, will undermine our credibility as an investment location. We are about to have a question on a lower level of corporation tax. Already, our investment narrative is in jeopardy because we do not have a clear outcome on the sustainability of our higher education system.

I am doing sterling work to resolve these issues. We will have a paper before the Executive within weeks, so there is an opportunity for all parties to take a responsible decision on the best way forward. There are clear choices that we can make. Tuition fees remain an option open to the Executive, but they also have the option of doing something more in line with what happens in Scotland, where more money is redirected from the block grant into supporting universities, so that is another option that is available. Of course, this is happening in the context where money is being taken out of our budgets to have a more generous welfare system. That may or not be the right thing for us to do, but that is what is about to happen. We have a host of other populist decisions being taken on other public services and other types of commitments. It is in that context that we have to see what will be doable. It is up to the Executive over the coming weeks to try to take a decision on what will happen in the here and now.

**Ms Lo:** The Minister mentioned the Executive's decision to lower corporation tax in 2018. Given that decision, what scale of investment is required now for our young people in anticipation of more inward investment coming online?

**Dr Farry:** I thank the Member for her question. To put this in context, it may be useful to see three or four different elements in this. First, we have the cut to higher education that was passed on for the 2015-16 financial year, amounting to £16.1 million. We have a pre-existing structural deficit in our university funding that amounts to about £39 million. That is based on a comparison between the money that we are investing per student in Northern Ireland relative to the rest of the UK. Thirdly, we have to look to what potential expansion we need to see for higher education to meet the needs of investing companies in response to lower corporation tax.

As we have already heard, there are ambitions to expand the Ulster University at Magee. While we are still awaiting the business case, it is likely that we will be talking about a figure in the region of £30 million per annum if we are to see the expansion in line with the One Plan targets. Very quickly you can see that we are talking about a figure in excess of £80 million a year being required to have a sustainable higher education system in Northern Ireland that meets the needs of our economy, both today and, more importantly, where we hope to be tomorrow.

## Ulster University: Redundancy Funding

5. **Mr Dallat** asked the Minister for Employment and Learning for an update on the redundancy process at the Ulster University. (AQO 9221/11-16)

**Dr Farry:** While my Department provides funding and sets the strategic direction for the higher education sector, universities are autonomous and responsible for their own staffing levels. However, I have had ongoing discussions with the Ulster University in relation to the possible implications of the budget reductions and have been briefed on the redundancy process by the vice chancellor on a regular basis.

The university has already indicated the scale of the job losses over the current academic year and over future years. The size of the cuts is a clear indication of the severity of the budget reductions faced by my Department, the university and the higher education sector.

Ulster University has reported to my officials that the deadline for expressions of interest in the voluntary severance scheme closed on 30 October, and they are now liaising with the deans of the affected faculties before beginning the process of staff engagement.

### 3.00 pm

**Mr Dallat:** Does it not break the Minister's heart that he has been responsible for reducing funding to the universities at a time when the whole world is telling us that the only way that we can create jobs for people who are travelling to the four corners of the world to find work, because the work is not at home, and the very thing that would be the driver to create the jobs has been starved of the oxygen of life in Coleraine and Derry in particular?

**Dr Farry:** Let me be very clear: the decisions regarding my departmental budget were taken at Executive level, and I was deeply concerned about a whole range of issues around the budget.

I ask the Member to reflect on his party's approach to how we are addressing our Budget issues, because his party, like others, is very clear that it is not prepared to consider any additional revenue raising for Northern Ireland. Parties are very clear that they are not prepared to consider tackling the cost of a divided society; we could not even begin to address divisions in our teacher training system earlier this year.

We are not adopting a strategic approach to Budget setting. Parties are making more and more demands about what they want to spend money on. We are seeing a situation where money is going to be taken out of our block grant for welfare. We are seeing people making commitments ahead of even a full assessment of all the different needs; that we must protect health at all costs, rather than engaging in any health programme. Then people wonder why we have a situation where we are having cuts to our skills budgets and why we are seeing cuts being passed on to universities.

If people are genuinely concerned about this issue, it is important that they have a fundamental reassessment of how they are resourcing all that we need to do to fund our public services, including our universities, as well as how we fund the transformation of our economy. I encourage

the Member and those in all parties to think very seriously about these issues over the coming weeks.

### Skills: NI Workforce

**6. Mr Anderson** asked the Minister for Employment and Learning to outline how he will ensure Northern Ireland has a well-skilled workforce capable of attracting inward investment when the rate of corporation tax is reduced in 2018. (AQO 9222/11-16)

**Dr Farry:** It is essential that we are well placed to derive the full benefits of a 12.5% corporation tax rate, which could significantly increase the number of jobs locally that would otherwise be produced. However, a lower rate will not transform the economy in isolation of investment in, and a coherent focus around, the key economic drivers of skills and employability as the bedrock of economic success. It is crucial that we maintain and increase our investment in skills if we are to derive the benefits of a lower rate.

Research commissioned by my Department highlights, in particular, the importance of strong skills in science, technology, engineering and mathematics (STEM), management and leadership, literacy, numeracy and employability skills and the importance of acting quickly to meet the skills and needs of employers in a lower corporation tax environment.

These are issues that my Department is already working to address, and they are central to the overarching skills strategy. However, although the Department is already on the right path, there will be a need for further investment to address the quantum of skills required. My Department has developed a draft action plan to direct our skills interventions in preparation for, and in response to, a lower rate. This covers existing policies and programmes such as the following: investment in STEM skills; the implementation of the new apprenticeship strategy and, in particular, the supply of skills at level 3 and above; developing new pathways, such as higher level apprenticeships or working in partnership with Invest NI to promote foreign direct investment; the further development of careers provision and the work to upskill the existing workforce. Together with information from the recently published skills barometer, this will provide a strong basis to articulate and address future skill needs and help to ensure that we realise the potential for a lower rate. However, in order to ensure that we maximise this economic opportunity, it is essential that an appropriate level of investment in skills is restored, that the structural deficit of underfunding in higher education is addressed and that we invest in additional measures to ensure we meet the forecast skills demand.

The financial analysis undertaken indicates that the total additional cost may be in the region of an average of £111 million per annum over the next 15 years or a total of £1.67 billion through to 2030.

**Mr Anderson:** I thank the Minister for that response. How do you plan to help existing businesses to prepare for the corporation tax reduction in 2018, especially in areas such as staff training, and I know that you have already mentioned apprenticeships? Can you give an indication of how your Department will work with DETI in preparation for 2018?

**Dr Farry:** On the latter point, we are due to have some discussions tomorrow as part of the Executive's subcommittee on the economy. That will, hopefully, begin to crystallise some of these discussions, and I know that discussions are happening at official level already in that regard. It will be a case of upscaling some of the existing interventions, for example, what we are doing around the apprenticeship strategy, and we have spoken at length about the importance of the funding of universities.

Another area that is worth highlighting is the importance of management and leadership skills. As we bring more and more high-value investments into Northern Ireland, a greater premium will be placed on management and leadership. Sadly, we have had some severe cutbacks to existing provision over the past couple of years. That will need to be reversed. We are also conducting a review of management and leadership at present. Hopefully, that will be concluded before the end of this mandate.

**Mr Rogers:** Minister, will you concede that, particularly at the beginning of the lower rate of corporation tax in 2018, there might be a fall in tax intake? Do you believe that that would have a detrimental effect on the funds available for your employability schemes and training schemes at a time when you need greater funds for those?

**Dr Farry:** It is almost certain that there will be a fall in the resources available to the Executive. Anyone who has looked at the figures on this will know that we will be looking at a figure that will progressively rise to one in the region of perhaps £250 million to £300 million per annum. Over time, more and more revenue will be generated in Northern Ireland as we see a much greater level of economic activity being sparked by lower corporation tax. We have a dilemma in that it is very clear that we have to invest more in what we are doing around skills if a lower corporation tax rate is to be successful. If we do not invest in skills, that simply will not be the case. That same logic applies to further investments in infrastructure and some reforms to the planning system, but the real dilemma that the Executive will have is that the increase in funding needs to happen now. That will happen at a time when we are seeing cuts to the block grant and money being taken out of our block grant for additional flexibilities around welfare, and we also have to make up the deficit from lost revenue from a lower level of corporation tax.

### Enabling Success: Update

**7. Mrs Dobson** asked the Minister for Employment and Learning for an update on Enabling Success. (AQO 9223/11-16)

**Dr Farry:** Enabling Success, the Executive's new strategy aimed at reducing the level of economic inactivity in Northern Ireland, was published on 20 April 2015. The implementation of the strategy over the proposed 15-year period is based on 11 key projects that are to be managed and resourced on a cross-departmental basis. However, due to the ongoing pressure on budgets and the subsequent absorption of those pressures through departmental baselines, the Enabling Success strategy remains largely unresourced and its implementation severely hindered. In my Department, there has been a reduction to departmental baseline funding of 8.4%, totalling £63.3 million, in 2015-16.



A research mapping exercise of economic inactivity service provision in Northern Ireland aimed at the strategy's key target groups has been completed. In addition, the Department for Social Development leads on a pilot project in the new Derry City and Strabane District Council area. That pilot project received funding via the Executive's change fund for 2015-16, and it is based on early and more intensive engagement with new claimants of employment and support allowance.

The remaining cross-departmental projects have yet to commence due to the lack of financial and other resource allocations. Updated indicative project costs have been provided for the ongoing discussions between the Executive parties. Should the Executive secure additional finance to enable the full or part implementation of the strategy, a new implementation plan and timetable will be agreed between the relevant Departments.

**Mrs Dobson:** I thank the Minister for his update. As we know, it has long been established that there are areas of Northern Ireland with unacceptably high levels of economic inactivity. As you say, you launched the strategy with a statement in April. As has recently been reported, it is largely unresourced, and many of the projects have not commenced due to lack of resources. Minister, are you content to be associated with monumental failure and lack of prioritisation from the Executive?

**Dr Farry:** This is a collective failure across the piece because the Executive have not been in a position to direct resources in that regard.

The Member's party was present when those decisions were taken. Since her party left the Executive and went into so-called opposition mode, we have not seen an alternative narrative that would lead to resources being available for us to invest in the strategy.

There are two potential sources of funding looming on the landscape, neither of which is definite by any stretch of the imagination, but they are worth exploring. First, the Executive now have the money that was originally set aside to mitigate the effect of the loss of tax credits, and about which decisions have still to be made. Anything we do to invest in our economic inactivity strategy is about removing people from welfare by encouraging them into work in a supportive manner. That is consistent with the wider welfare reform process, which is about tackling the causes rather than simply dealing with the symptoms of people stuck in a spiral of welfare and lack of opportunity.

The second also lies in the Fresh Start deal, where reference is made to new measures to address error and fraud in benefits in Northern Ireland. Through an annually managed expenditure/DEL switch, the Northern Ireland Executive have the potential to receive 50% of the savings that accrue to the Treasury through successful efforts in that regard. That deal makes reference to addressing some elements of work and health well-being as being one possible route through which those resources could be deployed.

Those are discussions that we have to continue with at Executive level, but those are two potential avenues through which resources could be made available to commence work on that strategy.

**Mr McKinney:** Given the Minister's answers, I am assuming that the new mental health strategy is also being negatively impacted, as the Enabling Success strategy

also aimed to encourage positive mental health through work.

**Dr Farry:** As I said, at this stage we have only one potential pilot programme operating through DSD. The rest of the strategy is parked, pending the allocation of resources.

I would like to think that resources will be made available. This is an important area and a major structural problem in our economy in Northern Ireland. It is imperative that we press on and seek to address this. This is a much more beneficial way to address the situation where people unfortunately find themselves on welfare. Many who are on welfare want to engage with the world of work but are coming across barriers that are preventing them from doing that. We want to see how we can tackle and remove those barriers.

**Mr Principal Deputy Speaker:** Mr Edwin Poots is not in his place. Mr Ian McCrea is not in his place. I call Mr Robin Swann.

## Trainer Certification

11. **Mr Swann** asked the Minister for Employment and Learning whether he has considered any change to the certification required for trainers involved in delivering courses supported by the European social fund. (AQO 9227/11-16)

**Dr Farry:** The Department's key priority in developing any element under the 2014-2020 European social fund (ESF) programme is to ensure that the participants receive the best possible training and education available to them. Any departmental requirements of qualifications for teaching or tutoring staff apply to tutors in further education college settings and providers of the Training for Success programme, as well as educators in the ESF projects.

In each of those contexts, the primary rationale is to ensure quality and consistency throughout education and training across Northern Ireland, and to provide a guaranteed minimum level of quality in our teaching. We cannot, and should not, lose sight of the fact that the participants on ESF projects, and therefore the quality of training they receive, should remain our primary focus.

My officials are continuing to consider a paper submitted on this issue by the Northern Ireland Council for Voluntary Action and will respond in due course, but it is important that the rationale for the introduction of that requirement is clearly understood.

**Mr Swann:** I thank the Minister for his answer. Can the Minister then inform those organisations that are waiting how to get a tutor in CSR and first aid cards, and an organisation that is recognised by OCR, when that teaching qualification does not reflect that?

**Dr Farry:** I thank the Member for his question and those comments. We made clear to our officials that we want them to work through those practical issues that are being raised by organisations. I am aware of the concerns that have been expressed around, for example, capacity issues and how other qualifications are being recognised. We are looking to see how we can work through those issues in a constructive way to reach a resolution. I stress to the Member and the Assembly the importance of ensuring that we have quality. I am sure that everyone shares that

objective. Right across our education and training system, we want to make sure that those providing the training are operating to the very highest standards. I accept that there can be different ways in which that can be assessed and accredited.

**Mr Principal Deputy Speaker:** That ends the period for list of questions. We move to topical questions.

3.15 pm

### Further and Higher Education: Fresh Start Advantages

T1. **Mr McKinney** asked the Minister for Employment and Learning whether he can point to any advantages for those who access further and higher education in either the Fresh Start Agreement or the November monitoring round, given that he will be aware of the intensive talks leading up to that agreement, which had mixed outcomes. (AQT 3211/11-16)

**Dr Farry:** On the surface, no, but I was not expecting any huge commitments in those regards. This was meant to be a political deal, and insofar as that was the bar, it was a deal in some respects between some parties, covering some but not necessarily all areas. Like the Member, I would have liked a stronger general commitment to how we can better invest in and plan our economy. I would have liked the agreement to set in train a process by which we could have a better planning process that draws on international experience and allows us to benchmark our progress in Northern Ireland. The omission of that was, perhaps, a lost opportunity. However, I was not expecting any particular lines on or commitments to further or higher education, although those would, in due course, have been picked up through the more general process of the promotion of economic prosperity and opportunity.

**Mr McKinney:** Does the Minister agree that, for corporation tax to work properly and benefit all in society here, we need a highly skilled economy with high productivity and high wages, and that his recent cuts to university places is entirely counter-strategic to the introduction of corporation tax here and to that ambition?

**Dr Farry:** I entirely concur with the sentiments that the Member has expressed, and, indeed, that has been a major focal point of Question Time to date. I simply echo the point that I made: it is important that, as we look ahead to making our own Budget decisions over the coming weeks and months, we very much have in mind some of the things that have been done in the past and the requirements of the future. It is important that we start now to invest more in skills. Simply waiting until 2018 to do so will not be effective. We now have a two-year window, and it is important that we send a very clear message that Northern Ireland is open for business from day one of people looking to make investments on the basis of the lower corporation tax rate.

### Funding Bids

T2. **Mr G Robinson** asked the Minister for Employment and Learning to confirm whether his Department has applied for any of the £240 million from tax credits to alleviate some of the cuts it is facing. (AQT 3212/11-16)

**Dr Farry:** I thank the Member for his question. At this stage, we have not been invited to make bids by the Executive as a whole or by the Minister of Finance and Personnel. Decisions on how that money will be reallocated are still to be taken by the Executive. I stress that there are many ways in which we can help those who are most vulnerable and marginalised. Mitigation of the Tory welfare policies being pursued in Great Britain is one such way, but we have to take a balanced approach. Further investment in public health, early years education, as well as investment in my areas of responsibility — employment schemes, training schemes, opportunities in further and higher education — are all very important in giving people the opportunity to move off dependency on welfare and progress in life. It is important that there is balance in the approach that we take.

**Mr G Robinson:** This may be a bit hypothetical, but, if the Minister's bid was successful, would that money go back into universities whose funding has already been cut?

**Dr Farry:** I congratulate the Member on his bravery and on trying to entice me along those lines. There are a lot of ifs in that chain of logic. Things can be done differently to help those on welfare, and we have had discussions on economic inactivity. If a decision were taken to redirect those resources, that type of intervention — something to help those who are unemployed and, in particular, the young and long-term unemployed — would be most relevant, in that people could see the transparency of money moving from one intervention to another.

Comments were made about upskilling and higher education. These have to be the subject of freestanding Executive commitments because they are core requirements for us in delivering a successful economy. I do not think that it is a case of simply moving money from tax credits into higher education, as tempting as that is. Higher education must stand on its own two feet and be seen as part of the core responsibility of the Executive for upskilling and having a successful transformed economy.

### Maintenance Grants: Retention

T3. **Mr Lynch** asked the Minister for Employment and Learning whether he is minded to retain maintenance grants. (AQT 3213/11-16)

**Dr Farry:** At this stage, there are no plans to change the situation with maintenance grants and, even if there were, there would be a lead-in time to bring secondary legislation through the Assembly. I think that it is important that maintenance grants stay in place. They are important to help widen access. Scotland, which I visited last week, has moved to funding maintenance more through loans than grants. There are ongoing debates about how well they are doing in widening participation. Obviously, the UK Government have proposed the removal of maintenance grants in England. Exactly what that works out as in negative Barnett consequentials for Northern Ireland remains to be seen, but the decision on whether to keep maintenance grants in Northern Ireland will be taken by the Executive collectively. My working assumption is that people will want to continue the status quo because that is more in keeping with the particular circumstances in which we find ourselves in Northern Ireland.

**Mr Lynch:** Gabhaim buíochas leis an Aire as an fhreagra sin. I acknowledge what the Minister has said about the

importance of maintenance grants. Would he say that they are vital in supporting students from less well-off areas in further and higher education?

**Dr Farry:** Yes, that is very much the logic as to why they are there and for the commitment to them. Resources have been tight over the past number of years as part of the wider tuition fees settlement, and we have not had the same opportunity to invest in maintenance because the resources have simply not been there. However, maintenance grants are an important tool in their own right for ensuring that we attract people from a range of backgrounds into higher education. It is crucial for the future of our economy that the ability to pay is not seen as a barrier to participation in higher education. Access to higher education should be based on merit and on people's ability to learn and to gain from the experience.

## Nurses

**T4. Mr Douglas** asked the Minister for Employment and Learning whether his Department has any plans to train people for nursing jobs in Northern Ireland, given that, at a meeting this morning with staff and management from the Four Seasons care homes to discuss the closures, one problem that they identified was a lack of trained nurses in Northern Ireland. (AQT 3214/11-16)

**Dr Farry:** It is important that we draw a distinction between the types of roles that are available in residential homes. As the Member will appreciate, nursing and the training of nurses are matters for the Department of Health. It sets the numbers and provides the finances. I have no doubt that the Member's colleague will be aware of that. There are, of course, other roles in health and social care where my Department can play a role. The Member will be aware, for example, of the new youth training system that we launched in June this year. I expect that health and social care will be a major strand in the future needs of our economy. The new work-based learning approach that we are putting in place will hopefully be very attractive to a lot of young people, especially those leaving school at 16 who want to find new opportunities.

**Mr Douglas:** I thank the Minister for his answer. I am aware that the Open University has contacted your Department about potential courses. Will the Minister consider widening access to nursing courses by removing means-testing for financial support for students undertaking modules K101 and K109?

**Dr Farry:** Again, those are largely matters for the Minister of Health to take forward. However, there is a common approach across the Executive to ensuring that we have wide access to higher education.

Nursing is obviously a key sector in our economy. The Member will be aware that, for example, we published a skills barometer on 12 November and that health and social care, particularly nursing, was identified as a key pressure point in our economy. We have a clear need, so it is important that we put in place policies that do not deter people from going into those areas, and, in doing so, we facilitate people and encourage them into those areas.

## City Deals

**T5. Mr Attwood** asked the Minister for Employment and Learning whether he agrees that one of the multiple

missed opportunities in the Fresh Start Agreement, not least that two party leaders engaged directly with the Prime Minister, was the failure to make any progress whatsoever in respect of city deals — a regional city deal for Northern Ireland or, indeed, a university city deal for Northern Ireland — given that the Chancellor has said very clearly that there is no issue of principle with that model being employed here. (AQT 3215/11-16)

**Dr Farry:** It is only the last aspect of that question that directly falls under my responsibilities as Minister for Employment and Learning. We had a debate in the Assembly a few weeks ago about the concept of city deals, and people are open to exploring those. It is important that we fully appreciate exactly how they will work, whether additional resources will be provided or whether we will repack resources that are already in our gift.

We have seen progress in university development in Belfast, and I appreciate that there is also a hunger for university expansion in the north-west. The funding for Belfast is already in place, but there is uncertainty as to how we will facilitate any expansion in Derry if that is what the business case indicates as the appropriate way forward. If we have innovative ways as to how that can happen, I am very happy to consider them.

**Mr Attwood:** Given that last comment in particular, the fact that there is to be a Budget for 2016-17 and that Programme for Government preparations are already under way, will you as Minister commit in the next financial year and thereafter to take forward a proposal for a university city deal in the Programme for Government, certainly for Derry if not for other cities in Northern Ireland, so that the door that seems to have been closed in the Fresh Start Agreement will be reopened?

**Dr Farry:** I need to be conscious about my lifespan as a Minister and what I will do. I can comment only on what I can do in my capacity as Minister through to May of next year. It is likely that we will consider a one-year Budget in the first instance rather than necessarily going for a full five-year Budget. In that way, full account will be taken of the elections and incoming Ministers thereafter in future Programmes for Government.

The Member can take some assurance from the fact that those types of innovative interventions need to be examined by the Executive as a whole. If we do not fully explore all the opportunities that are before us, we will potentially miss opportunities. His comments will be well heard. I expect that those opportunities will be fully scoped out, whether by me or others, now or in the future.

## Irish Language Degree Course

**T6. Ms McCorley** asked the Minister for Employment and Learning whether the decision to end the full-time Irish language degree course was wise, given the huge success of the Irish language, its growth, the Gaeltacht Quarter and the hugely successful Irish-medium education sector, with so many children in the city being educated through Irish. (AQT 3216/11-16)

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo.

**Dr Farry:** Let me be clear: it is not my place to say whether it was wise or unwise. It was the university's decision to

make. As the Member is fully aware, the context that it found itself in was not one of my making; it was certainly not one of its making, and very difficult choices had to be made.

It is also important to bear in mind that we have not actually seen a reduction in the full-time opportunities for Irish. What has happened is that the provision has been consolidated in Derry, and we have seen the removal of the full-time provision from Belfast. In the future, that situation may be restored, but I never fail to be amazed at the concern expressed about courses being moved into the north-west, given that Sinn Féin in particular has been very keen to see Magee developed more and more as part of our higher education landscape.

3.30 pm

## Question for Urgent Oral Answer

### Health, Social Services and Public Safety

#### Care Home Closures

**Mr Principal Deputy Speaker:** Mr Chris Lyttle has given notice of a question for urgent oral answer to the Minister of Health, Social Services and Public Safety. I remind Members that, if they wish to ask a supplementary, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary.

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety to outline the action he is taking to assist the residents and staff affected by the proposed closures of local Four Seasons care homes.

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** First, I should say that Four Seasons Health Care has taken a business decision to close those homes. That decision was taken independently of the Department and the Health and Social Care Board, and we had no input to the analysis conducted by Four Seasons that led to the decision.

I fully appreciate that the closure of seven nursing homes by Four Seasons Health Care will impact on many residents and their families, and will cause great anxiety and uncertainty for those directly affected by the closures. My Department is working closely with colleagues in the Health and Social Care Board, the health and social care trusts, the Regulation and Quality Improvement Authority (RQIA) and Four Seasons Health Care in developing plans to manage the transition to alternative care arrangements. The aim is to ensure that any relocation will be managed, with minimal disruption to residents, and that they are able to remain as close to their original location as possible. The continued well-being of residents will be the priority in dealing with the transition to alternative care arrangements.

My Department has established a joint working group with the Health and Social Care Board, the RQIA and the trusts to monitor developments and oversee the resettlement of the residents affected by the closures. Within the trusts, multidisciplinary teams have been established to work through the detail of all the moves to identify new placements and to manage the terms of all the moves. You will appreciate that that is a complex and difficult task, and team members will therefore be drawn from across the trusts. Staffing is a matter for Four Seasons Health Care as their employer.

**Mr Lyttle:** I thank the Minister for his update, but given that we have had warnings of crisis in the care sector for some considerable time and people have cited declining trust aid, rising staffing costs and a shortage of nurses as main reasons to point towards a lack of adequate long-term planning and sourcing for care, should we conclude that



the Minister has been caught asleep at the wheel on this issue? Most importantly, having met staff and residents at care homes whose primary concern is the impact that closures will have on the residents' health and well-being, I ask what options the Minister can actively pursue to avoid a need for residents to leave their homes, to prevent the detachment from staff on whom they rely and, at the very least, to limit the damage that that dislocation is going to cause for vulnerable people in our community, many of whom are dementia care patients?

**Mr Hamilton:** Given the fact that it is an incredibly serious issue that affects 254 residents and their families, and, indeed, over 300 staff, it is disappointing that the Member, in his opening comments, chose to make a baseless political attack on me. It is absolutely disgraceful that, on such an important issue, the Member seeks to do that without any justification whatsoever.

I am aware that there is a range of issues facing the sector. The Member mentioned some of them around staffing issues and a shortage of nurses, which is something that that sector, all sectors in health and social care, and, indeed, all parts of the United Kingdom and far beyond, are facing. I am aware that there are concerns expressed by the sector about the impact, for example, of a national living wage, which has not been implemented yet and therefore had no direct bearing on this set of circumstances.

I was and am aware of the issues pertaining to this particular provider. That is why pointing the finger of blame in my direction, as the Member has sought to do, is completely baseless. A recent media report highlighted the fact that Four Seasons is a particularly indebted company, which, according to a recent report in 'The Guardian', is paying more than £50 million a year in interest on debts of £500 million. Paying over 10% on your debts is an incredibly high rate for any firm and makes it very difficult for a company of any size to deal with, even the biggest care provider in the UK. Particular issues with the company's finances and debt led it to take this decision.

My job is to work with Four Seasons as best I can and ensure that the whole health and social care family, as I outlined, works with the company to minimise the disruption that will be faced by the 254 residents and get them appropriate new accommodation as close to their current location as possible. I will make sure that the trusts, the board and the regulator all work together and closely with Four Seasons to make sure that what is a very difficult period of uncertainty and anxiety for those residents is not made any more difficult.

**Mr Principal Deputy Speaker:** I remind the Minister about the two-minute rule.

**Mr McKinney:** I am glad that the Minister has reflected on the financial nature of the company at the centre of all of this, because that only underscores that the Minister knew and knows intimately of the pressures on this company and, therefore, of the threat to the 254 residents and 300 staff. Will the Minister now reflect again on the perilous nature of the situation that those staff and patients face as a result of the continued mechanism, if you like, of private sector provision? Will he now begin to underscore that it is the public sector that can intervene most profitably for patients in this case?

**Mr Hamilton:** Let us not conflate the issues. The homes looked at more recently by various trusts were, of course, residential care homes. These homes are more on the nursing care side, where a very different level of care is provided to meet the needs of residents. Last week, I took a decision to halt and review consultations on the potential closure of some statutory residential care homes. It was only right to do so in a period of obvious volatility in the market, when the biggest provider in the independent sector in Northern Ireland is in the difficulties that it is. I think that it was only right that I paused, reflected on and carefully considered the whole range of circumstances.

The Member's point about the care provided in the public sector is right, in that the public sector provides a very high standard of care, whether nursing or residential. However, that does not mean that the standard of care provided in the private sector is any less high quality. Unfortunately, debates such as this can sometimes be seen as knocking the private or independent sector. The Member is shaking his head, and I appreciate that he does not perhaps mean or seek to imply that, but we should acknowledge that our independent sector plays a vital role in providing care, whether residential or nursing, for many older people across Northern Ireland. It will continue to do so into the future. Many great people work in that sector to ensure that our older people get the quality and standard of care that they require.

**Ms Maeve McLaughlin:** I thank the Minister for the answer to the question. Specifically, does he agree now that this is perceived as a failure in planning for our ageing population by him, his predecessors or those with departmental responsibilities? Will he clarify whether the halt in the review process will allow readmissions to some statutory care homes?

**Mr Hamilton:** I do not accept the premise of the first point about a failure by me or my predecessors. The issues with the particular provider that is closing the seven homes developed over the recent while. Although we have been aware of difficulties that it was facing, we were not aware until very latterly that, specifically, it was to close the seven homes indicated last Tuesday. I do not accept that there was much that I could have done, as Health Minister in a devolved region, to bail out a company paying over 10% on its debts and in such a difficult financial position.

There was probably very little that I could have done to arrest that.

In respect of reopening admissions, some of the consultations undertaken by the trusts on statutory residential care homes recommended that some of those homes be kept and reopened for admissions. I want to see that proceed, but I am open to the idea of reopening admissions in particular areas if that is the appropriate thing to do. It is not something that I can say authoritatively is the best thing to do in every case, but it is certainly something that I would like the board and the trusts to reflect on in the current circumstances with the volatility that there is in the market. If it is the right thing to do, I hope that they will do it.

**Mr Easton:** Is the Minister aware of any outside providers showing an interest in taking over the homes?

**Mr Hamilton:** While some might wish to use this example of a firm that has had well-publicised difficulties to have a go at the independent sector and say that it is not the best

way to provide care for our elderly people, I understand from media reports in the immediate aftermath of the announcement by Four Seasons to close the seven homes that other firms have indicated a desire to look at them, take them over and run them as a viable business. That has certainly been in the public domain. I have also met other independent providers who are not in the Northern Ireland market but are expressing an interest in being in it. Whilst there has been an issue with one provider and its viability, there are others expressing an interest in the seven homes and in coming into the Northern Ireland market. Whilst we are very concerned about what is happening with Four Seasons and are keeping a watching brief on it, there are others in the independent sector who see opportunities in Northern Ireland.

**Mrs Dobson:** I thank the Minister for his answers. Being parochial, I must say that the closure of Donaghcloney Care Home in my constituency will affect 65 families — 24 residents and 41 staff — in the mouth of Christmas. What impact have the wage-rate bands for carers in the private sector and, as we said earlier, the difficulty in obtaining a sustainable supply of nurses had in the closure of the homes? Will you update the House on the discussions that you have had with Four Seasons, which, I gather, took place this morning, on these issues, which, if not addressed directly, could result in further disappointing announcements?

**Mr Hamilton:** I have not yet met Four Seasons. The Department has been aware of issues with Four Seasons for some time and will continue to discuss them with the company on an ongoing basis, particularly the impact of closing the seven homes. The Member is right to highlight the impact that it has on very vulnerable individuals and the concern that that will cause their families; she is also right that it is a particularly difficult time of the year. That is why I want to see my Department working very closely with others in the health and social care family and directly with Four Seasons to ensure that the disruption that there will be is minimised and that people can be accommodated in suitable accommodation as close to their current location as possible.

In answer to the questions about the impact of wages and a shortage of nurses on this decision, I think that it has been minimal. The reality of the situation with this provider is as I have outlined, with well-publicised media reports on its indebtedness and the impact that that is having on its profitability, which gives us some cause for concern.

I do not for a second denigrate or seek to diminish the issues that the Member raises about the availability of nurses or about wages and the impact that a national living wage may have on this and other sectors in health and social care, but the direct impact on this issue has been minimal. What has driven the firm to announce these closures and other closures across the UK is the fact that it is a heavily indebted private company that is having to take these decisions to ensure its longer-term survival.

3.45 pm

**Mr Dickson:** Thank you for your answers so far, Minister. Given your undertaking to the House this afternoon to work with relatives to ensure that residents are provided with the best possible care in alternative accommodation, can you assure the House that you will not oversee residents from these homes going into establishments

that have been highly criticised by the RQIA, like Cherry Tree House in Carrickfergus? Will you undertake, as your predecessor failed to do, to meet me and get appropriate outcomes for the people who feel very let down by Cherry Tree House nursing home?

**Mr Hamilton:** I know that the Member has an interest in that home. He has corresponded with me about it, and, I think, he met a previous Health Minister — I cannot remember which one it was — about it. Obviously, we want to see standards of care in all our residential homes and nursing homes, whether in the statutory or independent sectors, at the highest possible level. I want to see the 254 residents affected by the seven closures in the most appropriate accommodation for them, which is obviously accommodation of a high standard. I will look to my officials, as they work with Four Seasons, to ensure that the residents get the most appropriate accommodation and that that accommodation is as close to where they are currently located as possible. I do not think that anybody would want to see them in accommodation or homes that are not suitable for them or are not good homes providing good standards of care.

**Mr Principal Deputy Speaker:** Rightly, there is a high level of interest in the matter. I ask Members, when they are called, to keep their question short so that we can get the maximum number of questions answered by the Minister.

**Mr Buchanan:** How much does the health service provide for the care of individuals in these homes on a weekly basis?

**Mr Hamilton:** A tariff is worked out on annual basis with the Health and Social Care Board and the sector. It differs between residential care and nursing care: £470 per week is provided for those in residential care and £593 per week is provided for those in nursing care. While there are perhaps some differences in other UK regions and some local authorities paying a little bit more, my understanding is that the rates compare pretty favourably with those provided across the United Kingdom.

**Mr Principal Deputy Speaker:** I call Mr Cathal Boylan.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The Minister has said that he will endeavour to minimise the disruption to residents, staff and families, but I wonder how that is possible in places like Garvagh, where the nearest available nursing home spaces might be as much as 30 or 40 miles away.

**Mr Hamilton:** Mr Boylan has changed somewhat in the last number of days. He may have become a ventriloquist, using somebody else and throwing his voice. I am sure that that is the question that Mr Boylan would have asked anyway.

I appreciate there will be difficulties in doing this. It is not an easy undertaking to move 254 residents in pretty short order. It highlights the difficulties that have arisen because of a decision taken by Four Seasons to do this for its own commercial reasons. All that I can say is that I will ensure that everything that can be done to minimise that disruption is done. It is in nobody's interest to have residents, who are vulnerable people, being caused confusion and anxiety by the fact that they have to move. Nobody wants to see them traumatised any further. We want to minimise the disruption and ensure that they are

moved to appropriate accommodation as close to their current location as possible. I appreciate that that will be tricky in some cases, but the Member, the House and, more importantly, the residents have my categorical assurance that we will do our very best.

**Mrs Cameron:** How does the Minister make assessments on the potential volatility of the independent sector market?

**Mr Hamilton:** There are obviously concerns created by the particular circumstances of Four Seasons that raise issues around the current volatility in the sector. That is why it was important that I decided last week to halt and review the consultations in respect of statutory residential care homes.

I think that it is important that we go further than that and get a better picture. Given what has happened with Four Seasons, given what representatives of the sector have said in the media, without any substantiation, I might add, but worth listening to nonetheless, and given the issues that are looming around wages, a national living wage, and, indeed, the provision of appropriate nursing staff, it is only right and proper that we reflect on the current market position within residential and nursing care. As a result of that, I have asked officials to bring forward a detailed report on the care market in Northern Ireland, with an emphasis on the economic outlook and the longer-term sustainability of the current arrangements. That will be used to improve our understanding of the current challenges, and it will be used as a platform for developing our policy and operational responses moving forward. It is incredibly important that we undertake that work.

Given the issues with Four Seasons and the concerns that have been expressed elsewhere in the independent sector, it is only right that we get a view and an analysis of where the sector currently is.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The Minister is aware of the situation in Armagh. The Hamilton care home in Armagh has 31 patients and provides 54 jobs. Will Minister give assurances that those people will be relocated, with proper care facilities, and that jobs will be retained? After all, Armagh has been renowned for the great skill sets in healthcare that have been provided down through the years, and it has seen nothing but closure and the relocation of jobs over the last number of years. I would like the Minister to give an assurance to those people and patients that he will care for them and cover the Hamilton care home.

**Mr Hamilton:** Unfortunately, I cannot give the assurance on jobs that the Member is looking for, because they are not my jobs to save or rescue in the way that he is asking me to do. These are people who are employed by Four Seasons. I look to Four Seasons to act as a compassionate employer in such circumstances and to do its best to relocate the staff to jobs elsewhere in the group. I think that it has made some indications that that is the intention. Staff are, primarily, the responsibility of the employer, but I think that we all would want to see them treated with dignity and respect. Equally, we want to see residents treated with dignity and respect and, as I said in response to other Members, moved, with minimal disruption, to appropriate accommodation close to where they currently live. I know that that will be challenging, but that is certainly the aim, and it is certainly what I will be

ensuring that officials from my Department, and others within health and social care, ensure happens.

**Mr Rogers:** I thank the Minister for his answers thus far. There are many residents and staff in Oakridge, in south Down. You made an important distinction between residential care and nursing care, and the complex needs of nursing care. What extra support will be available for residential homes if they are to accommodate some of the people who will be moved from a Four Seasons home?

**Mr Hamilton:** The Member is right; there is an important distinction. It is important that we follow that distinction through in terms of the question that he has asked about moving people with complex nursing needs into a residential care home. That would not be appropriate, particularly for those who have very, very complex needs. They would not get the standard of care that we all want to see them get. So, we need to be careful and mindful of the fact that the statutory residential care homes are not a solution for those who have complex nursing care needs. However, that does not mean that there may not be opportunities elsewhere in the state sector, or, indeed, the independent sector, to look after those who have complex nursing needs. That is why I think it is important to emphasise that we want to see these residents get the appropriate care that they need — in most cases, that will be nursing care — and to try to get that as close to their current location as possible. That is certainly what we will be working to, but it is not going to be a matter of moving people who have complex nursing care needs into residential care homes. That would not be right for them, and it would not be something that we could stand over with regard to quality.

**Mr Kennedy:** I thank the Minister for his previous answers. What discussions can he indicate have taken place between the local health trust, the Southern Trust, and those who are in charge of Hamilton Court Care Home in Armagh, in my constituency, about priority being given to ensure the safe relocation of residents to other centres of care in the Armagh area, with full consultation with relatives, and that the Hamilton Court staff who are affected will be provided with realistic job opportunities either by Four Seasons or other healthcare providers in the Armagh area?

**Mr Hamilton:** Working backwards; we will be looking primarily to Four Seasons to provide other employment opportunities for its staff. That may well be, as the Member says, elsewhere within that organisation or indeed there may be a possibility, given the staff shortages that there are in different homes in different parts of Northern Ireland, for people to move into other jobs with other providers. I cannot give him a categorical list of what communications the Southern Trust has had. I will write to the Member about that. The Southern Trust, like the other trusts, is involved in the joint working group that I outlined in my original answer and indeed the multidisciplinary teams that will be set up, so there will be involvement by the Southern Trust, particularly given the impact on the Member's constituency with the home in Armagh. Again, we are looking to the trust to work closely with the board, the regulator, the Department and indeed Four Seasons to minimise the disruption that will inevitably take place.

**Mr Allister:** Can the Minister please clarify whether he is reviewing the weekly tariff that is paid to the independent sector? If not, and if further closures follow, could he

remind the House what, in comparison, it costs to keep somebody with nursing needs within the National Health Service? Could he give us that figure?

**Mr Hamilton:** I have not got that figure to hand, but I will provide it to the Member and copy it to other Members. I am aware that the independent sector, principally Four Seasons itself, as one would expect, has been making all sorts of suggestions about the suitability of the tariff. We have looked at and compared the tariff to other local authorities elsewhere in the United Kingdom, and it compares favourably. I am not saying that it is the highest or that others do not pay more in some cases, but what we pay compares favourably to what is paid by local authorities across the water. Independent sector care providers may make some suggestions about the level of the tariff and the impact that that is having. I do not think that we should take what they are saying at face value. That is why I have asked for a piece of work to be done to review the state of the whole sector in Northern Ireland with the impact of the range of challenges that they are facing, whether that is around the national living wage, the availability of nurses or indeed the payments that are made to them by government. What I am doing is getting that overall snapshot and picture of where the sector is and how stable or otherwise the market currently is, not a review of the tariff itself.

**Mr Middleton:** I thank the Minister for his answers so far. Can he outline whether residents or their families will be impacted detrimentally in their weekly contributions?

**Mr Hamilton:** Obviously a tariff is paid and many residents and their families pay top-ups over and above that for a higher or different standard of care. One of the things that I said last week — and just to try to take away some of the concerns that may well be there from this week — is that I gave an assurance that residents will not be financially disadvantaged by any move that they might make. That is because it will be difficult enough for residents and their families to deal with the situation that has unfolded in the last week without having that added pressure and burden of worrying about the fact that they are moving from one accommodation to another and there might be slightly more to pay. It is important that we dealt with that last week. That is why I gave that assurance. If the trust finds a resident a new placement, it will not cost them any more than their current placement. However, personal choice is always a key element of decisions about where people want to go. Residents remain free to make their own arrangements about their new placement, though this may have financial implications for them. If they move to similar accommodation, we will certainly ensure that they are not out of pocket any more than they already are.

**Mr Principal Deputy Speaker:** I ask the last Member, Mr Swann, to keep his question brief.

**Mr Swann:** I thank the Minister for that last answer. I attended a meeting in Garvagh Care Home. I was invited by one of its north Antrim residents and their family. My question is specifically on the Minister's last answer that families will not be disadvantaged financially.

If a resident were to move from one Four Seasons home to another, could Four Seasons add a premium and, in doing so, get paid more for the resident being in the second home than it did from the resident being in the first?

**4.00 pm**

**Mr Hamilton:** It depends. I know that the Member has taken an interest in the issue because he tabled a question for written answer to me about it.

Our job is to work with others, including Four Seasons, to get appropriate accommodation for residents. We will seek to find similar accommodation in the vicinity so that people can move with a minimum amount of disruption. As I mentioned in my response to Mr Middleton, it may be the case that, out of personal choice, some residents want to go somewhere that perhaps has a different or higher standard of care and, as such, attracts an additional payment. That is a matter for residents and their families to decide on. The assurance that I am giving is that, where they are moving to similar suitable accommodation, people will not be out of pocket as a result.

**Mr Principal Deputy Speaker:** Before we return to the debate on the Public Services Ombudsperson Bill, I ask Members to take their ease, while we change the top Table.

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

**Mr Lunn:** On a point of order, Mr Deputy Speaker. Last Tuesday, I was supposed to ask a question of the Minister of Culture, Arts and Leisure, but I was not in my place. I want to apologise to Mr Newton, the Principal Deputy Speaker, who was in the Chair; the Minister; and the House.

**Mr Deputy Speaker (Mr Dallat):** That will be noted.



## Committee Business

### Public Services Ombudsperson Bill: Further Consideration Stage

*Debate resumed.*

**Mr Deputy Speaker (Mr Dallat):** We now return to the debate on the Public Services Ombudsperson Bill. We have come to the third group of amendments for debate. With amendment No 31, it will be convenient to debate amendment Nos 51, 75, 89, 91 and 305, which deal with powers and ambit.

#### **Clause 13 (Meaning of action taken by a listed authority)**

**Mr Beggs:** I beg to move amendment No 31: In page 6, line 2, at end insert "(d) any person appointed by a Northern Ireland Minister to a position in the Northern Ireland Civil Service as a special adviser if the listed authority is a Northern Ireland department."

*The following amendments stood on the Marshalled List:*

No 51: In clause 22, page 9, line 11, leave out "Assembly Commission" and insert

*"Office of the First Minister and deputy First Minister".— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 75: In clause 30, page 11, line 29, leave out from ", and" to end of line 31 and insert

*"(8) The Ombudsman shall, on receipt of a request from any person, ensure that that person shall be represented in the investigation by counsel, solicitor or otherwise."— [Mr A Maginness.]*

No 89: In clause 34, page 13, line 25, leave out paragraph (b).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 91: In clause 34, page 13, line 27, leave out subsection (2).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 305: In schedule 7, page 45, line 40, at end insert

*"(b) paragraph 16 (advisers) applies in relation to the functions of the Commissioner under this Part as it applies in relation to the functions of the Ombudsman under the 2015 Act."— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Mr Beggs:** I open the debate on the third group of amendments by highlighting my concerns, particularly with clause 13. I will concentrate my comments on amendment No 31, which was tabled in my name.

Why do I have concerns about the current wording in the Bill, and why do I think that an amendment is required? First, I will highlight how inappropriate actions by special advisers are not adequately covered by the legislation and regulations at present. There is concern that inappropriate actions have occurred but that there has been no role to date for the ombudsman, under the 2013 code of conduct for special advisers — or, for that matter, any role for the Civil Service — to instigate final disciplinary investigations.

Secondly, and relevant to the legislation, I will highlight my concerns about the current wording of clause 13 and explain how my amendment will strengthen the accountability of special advisers by including them under the possible scrutiny remit of the ombudsman when complaints are not addressed satisfactorily.

Paragraph 4 of the code of conduct for special advisers indicates that special advisers are civil servants who are appointed under article 3 of the Civil Service Commissioners (Northern Ireland) Order 1999, as amended. There are some exemptions, for instance on the general requirement on recruitment, and there is allowance to have a degree of a political role.

Paragraph 5 of the code of conduct for special advisers states:

*"Special Advisers should conduct themselves with integrity and honesty. They should not deceive or knowingly mislead the Assembly or the public. They should not misuse their official position or information acquired in the course of their official duties to further their private interests or the private interests of others."*

Paragraph 6 indicates that:

*"They should act in a way which upholds the political impartiality of civil servants. They should avoid anything which might reasonably lead to the criticism that people paid from public funds are being used for party political purposes."*

As a member of the Social Development Committee, which I joined on 9 February this year, I became involved in the latter parts of what came to be known as the Red Sky affair, particularly the Committee's phase 3 report, which was published on 16 April 2015, following the BBC 'Spotlight' inquiry. Amongst the summary of that report, you will find relevance to clause 13 of this legislation.

The Committee heard extensive evidence in relation to the actions of Minister McCausland's special adviser and the role of the Department for Social Development in claims about political lobbying in favour of Red Sky. In the summary, there is an indication that:

*"The Committee was also concerned at Minister McCausland's refusal to inform it of any of the details of the outcome of a fact-finding exercise that was conducted in response to allegations made against the Special Adviser, Stephen Brimstone, in the Spotlight Programme until a year after the exercise had concluded. While the Committee was notified on 25 September 2013 that the exercise, which had commenced on 20 August 2013, had been completed, the Committee was only informed of Minister McCausland's decision not to initiate any further action in September 2014 despite several letters to the Department over this period seeking clarification."*

*When Minister Storey released a redacted version of the report in a response to a notice compelling its release under Section 44(7) of the Northern Ireland Act 1998, the Committee noted that the report recommended a formal disciplinary investigation into the behaviour of Mr Brimstone."*

Indeed, that was one of the recommendations of that exploratory investigation.

The report makes fascinating reading in the comments attributed to Stephen Brimstone by, I think, Jenny Palmer including:

*"We need you to do that"*

Then:

*"The party comes first",*

And:

*"there is no point in you being on the board ... unless you are prepared to do what the party needs you to do."*

The Department's report was heavily redacted and, indeed, of the 13 paragraphs of conclusion, only paragraph 12 was not redacted. Of the four paragraphs of recommendations, two and a half were redacted. What remained was fascinating. There was a formal recommendation:

*"In view of the above conclusions and evidence presented in this short report, it is recommended that a formal disciplinary investigation into the behaviour of SB be commenced."*

At present, we have a system that uncovered wrongdoing and, at the end of it, one would have expected action to clarify exactly what happened and whether or not formal disciplinary action would have been required.

I will now examine the evidence given to the Committee and refer to the special advisers' code of conduct which states that there should be integrity and honesty and that special advisers should not knowingly mislead the Assembly. My Committee colleagues concluded that Mr Brimstone was not a very convincing witness. The number of times that the answer to a question was "I do not recall" was remarkable. For that reason, I highlight the fact that the current system of scrutinising special advisers should be included under the powers of the ombudsman, and we have an opportunity today to do that.

The Committee found that, surprisingly, the decision following the recommendation for a formal disciplinary inquiry fell not to the Civil Service but to the Minister. What would happen if a special adviser, on the encouragement of his or her Minister, acted outside the code of conduct? Does anyone think that such a Minister would agree to initiate an investigatory disciplinary action against their special adviser? There is clearly a weakness in the system. My concern is that the Bill may not be specific enough and may enable that to continue. My understanding is that in Westminster, Cardiff, Edinburgh and the Dáil in Dublin, if such a thing were to happen, public and media pressure would require that the issue be dealt with appropriately. Why not do that in Belfast? It has not happened in Belfast. I do not know whether it is down to our special arrangements about appointments. It is unhealthy that there is a lack of clarity on whether the code of conduct has been followed or, as many suspect, breached.

For that reason, I wish to examine clause 13 in detail. Clause 13 is headed: "Meaning of action taken by a listed authority". Clause 12 lists those authorities, and it refers to schedule 3. Departments are a listed authority, so, at first glance, one could think, "Happy days — everything is sorted. There is clear scrutiny and accountability that

the ombudsman could investigate". However, in clause 13 — "Meaning of action taken by a listed authority" — I have a concern about subsection (1)(b):

*"a member, officer or member of staff of the authority acting in the discharge of functions of the authority".*

My reading is that, when an individual acts in the discharge of functions under that authority, he becomes accountable to the ombudsman in the current legislation. The problem, however, with the case that I have highlighted is that many believe that the individual was acting far beyond the code of conduct of a special adviser. We should endeavour to ensure that such a thing does not happen again and that we do not face a situation in which a Minister could shield a special adviser who may not have acted appropriately under the code of conduct.

#### 4.15 pm

I turn to the specifics of amendment No 31, which is in my name. The clause currently reads:

*"Action is taken by a listed authority if it is taken by—".*

The amendment would insert:

*"any person appointed by a Northern Ireland Minister to a position in the Northern Ireland Civil Service as a special adviser if the listed authority is a Northern Ireland department".*

There are no avoidance clauses that might restrict the investigation if an individual has acted outside the normal Civil Service guidance. There might be a case in the future where this happens again and a Minister does not permit a recommendation that has come up from the Civil Service — actually, from the Department of Finance and Personnel — which scrutinised the individual against the code of conduct that the Assembly agreed in 2013. If there is a recommendation that there should be formal disciplinary action, this would be a mechanism whereby an ombudsman could step in should a Minister decide to shield an individual for whatever reason. There would be openness and accountability, and such action could not occur again in the future.

I have indicated to Members that there has been a problem in the past. I have also indicated that the current wording may well have a very significant gap. I ask you to support amendment No 31.

#### **Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill):**

The Committee did not have sight of the amendments in the group prior to its formal clause-by-clause scrutiny of the Bill and therefore has not taken a view on them. However, the Committee gave careful consideration to an issue that is addressed by amendment No 75, which is in the names of Mr Lunn and Mr Maginness. That being the case, I shall briefly set out what the Committee's position was.

The Law Society of Northern Ireland, Colleges NI, the Bar Council, the Medical Protection Society and the British Medical Association all raised concerns that clause 30 would create a fundamental imbalance in favour of the ombudsperson. They said that its provisions appeared incompatible with the basic right to legal representation and that this raised serious issues about proportionality and the right to a fair hearing under article 6 of the

European Convention on Human Rights. In addition, the stakeholders expressed concerns about other clauses and the basic right against self-incrimination and the right of legal professional privilege. The Committee considered those issues at length and sought its own legal advice. However, having considered that advice and discussed it at some length, the Committee was satisfied that, in respect of clause 30, the discretion provided to the ombudsman was capable of being exercised in accordance with the principles of fairness and did not give rise to a breach of convention rights. Accordingly, the Committee was satisfied with clause 30, but, in reporting that, we agreed to highlight the fact that Mr Maginness, Mr Eastwood and Mr Lunn had expressed concerns about the issue.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I will make a couple of brief points, if I might. I will be against amendment No 31. When Mr Beggs cites the example from the Social Development Committee, he actually, in a way, defeats his own argument. Looking at the totality of that and how it worked out, if you had amended the NIPSO Bill in this way, it still would not have had any effect because of the nature of the evidence given. You will recall that people gave evidence under affirmation and so on, so an amendment such as this would not have taken effect.

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

**Mr Maskey:** Yes.

**Mr Beggs:** Will the Member accept that, with the amendment, if inappropriate action is taken, the ombudsman can step in? You say that this would not help: do you not find it rather strange that, in that case, instead of facing formal disciplinary action, the special adviser was promoted?

**Mr Maskey:** I do not want to go into any of that, and I do not want to rehearse the Committee's inquiry. It was a lengthy inquiry. I simply make the point that, if amendment No 31 had been in effect at the time, it would not have had any impact at all on the working of that Committee inquiry. The Member will know that there was a lengthy inquiry. People were brought in and gave their evidence. People were brought in on more than one occasion to give evidence. There was conflicting evidence. People gave evidence under oath or affirmation. That is the way it happened. The Committee had all and ample power to investigate what happened there and reach its ultimate conclusions.

I just make the point that I am not supporting the amendment, because it will not have any impact. Probably more importantly, the legislation refers specifically to people who will discharge or exercise functions of the Department: SpAds, by their very nature, cannot, should not and must not discharge the functions of a Department. I accept entirely that issues were brought to light, particularly DSD-related issues. By the same token, those deficits — I accept that there are deficits — are better dealt with elsewhere, not least in the code of conduct.

The other amendment relates to the complaints-handling procedure —

**Mr Beggs:** I thank the Member for giving way. The Member says that the issue should be dealt with under the code of conduct: the code of conduct worked. The matter was investigated by the Department of Finance and Personnel, and issues of a potentially disciplinary nature were highlighted. The Department then duly recommended

a formal disciplinary investigation of a senior member of the Northern Ireland Civil Service who happened to be a special adviser, but guess what? Approval from the Minister was required, and, when that was not forthcoming, nothing happened. My point is that the current code of conduct system is not working.

**Mr Maskey:** You may want to continue rehearsing the inquiry. That is one example that you have experienced, and that is all very well. Some of us would share that view. I simply make the point that the deficit that you identify is not best dealt with in the Bill, which is specific legislation dealing with a particular function. SpAds are not supposed to discharge any function of a Department. Therefore, you have to find another way to make sure that that is being rigidly upheld. That would not be best dealt with here. The experience that we have had so far underpins that view. On that basis, we do not support amendment No 31.

I do not for one second dismiss some of your concerns; I am simply saying that they are best dealt with elsewhere. I share your view that those deficits need to be dealt with and have not yet been dealt with. If the code of conduct worked as effectively as you suggest, you might have had a different outcome. It is best to deal with those deficits of accountability elsewhere, not in the Bill.

There are a number of other technical amendments. The complaints-handling procedure is legislation that we have, if you like, embraced from elsewhere. On that basis, we are prepared to support the rest of the amendments.

**Mr A Maginness:** The thrust of my comments relates to the amendment to clause 30, which deals with potential representation for those subject to investigation. Hitherto, under the Commissioner for Complaints (Northern Ireland) Order 1996, legal and other representation was available in certain circumstances under article 12(7):

*"If at any time during the course of an investigation it appears to the Commissioner that there may be grounds for making any report or recommendation that may adversely affect any body or person, the Commissioner shall give to that body or person, if it or he so desires —*

*(a) the opportunity of being examined by its or his own solicitor or counsel; and*

*(b) the opportunity of testing by cross-examination, by its or his own solicitor or counsel or otherwise, any evidence which may affect it or him."*

It is plain that the right of legal or other representation, such as by a trades union or by a professional organisation, is given under article 12 of the 1996 Order.

Clause 30(7) allows representation to take place at the discretion of the ombudsman. If the Bill goes through in its present form, with subsection 7, any representation will be at the discretion of the ombudsman. That is a departure from the current position where, on request to the ombudsman, a person against whom a complaint has been laid can ask, in certain circumstances, for representation. That, I believe, is right and proper. A person should have the opportunity to have legal or professional representation if they want it. I do not understand why there is a departure from the 1996 Order. It does not seem to me that there has been any abuse of that representation hitherto; if there has been, it has certainly not been highlighted.

There needs to be a real and serious explanation for this departure. That is the reason why Mr Lunn and I brought forward this amendment: it allows a person who requests representation, in certain circumstances, to be granted it. It seems to me that this is supported, and the Chair of the Ad Hoc Committee mentioned this in his remarks to the Chamber, by the Bar Council and also by the Law Society, as I understand. It is also supported by organisations such as the BMA.

It may seem of little consequence to most Members whether representation is discretionary or otherwise. However, anybody under investigation and subject to a potentially adverse impact on his or her professional life and, indeed, livelihood, should be afforded legal representation where they want it, at their own expense, of course. One does not demand that the state, or anybody else, cover such expenditure.

It engages article 6 rights under the European Convention: the right to a fair trial. It is right and proper that the Assembly is cognisant of that. I also note, of course, that the present ombudsman has given very useful and helpful comments in relation to all this legislation and, in particular, the issue arising out of discretionary representation. The ombudsman says that he will carefully reflect on that representation and will exercise his function and discretion reasonably, as one would expect. We cannot, however, when making law in this House, simply rely on the goodwill or experience of the ombudsman to reassure ourselves that article 6 rights and the general right to representation are being properly afforded to individuals in difficult circumstances. It is right and proper that this amendment has been brought to rectify the situation by ensuring that representation will be there on request, rather than at the discretion of the ombudsman. I believe that there are strong arguments for the change. Indeed, the merits of the case being put forward are irresistible. The House should not support what is currently in clause 30(7)(b), but should prefer the amendment. I will leave it there.

#### 4.30 pm

**Mr Lunn:** I am happy to support what Mr Maginness has said. I wonder in what circumstances currently the ombudsman would refuse a reasonable request for legal representation or representation by somebody else — a trade union representative or even an MLA. There would have to be a really valid reason for refusing representation, but I am not at all clear what that might be, bearing in mind that this process, which starts with an ombudsman's hearing, terminates in a judgement and a recommended award, which are then challengeable by either party through a County Court action or judicial review.

The British Medical Association, in particular, said that it would like its members to be represented properly from the outset of proceedings, rather than have to bring in legal representation at some future stage.

The ombudsman has unlimited powers to make a recommendation for financial redress. It is quite a serious thing. The process, if not a court process, effectively has the status of one, and the potential effect on a defendant's reputation is severe.

It is quite simple. It is currently at the discretion of the ombudsman to allow legal representation if he thinks fit. All we want to do is change that to a situation where he

cannot refuse, if the defendant or the complainant think that they need it. That seems entirely reasonable to me. I understand that the wording goes right back to a 1969 Order, which was read out to me over lunchtime. It is pretty much the same thing.

Frankly, I do not understand the objection made by the Committee for OFMDFM. The matter was thoroughly discussed at the Ad Hoc Committee, and while only three of us, I think, indicated our dissent, I got the feeling that the Committee, as a whole, was probably in favour of an amendment along these lines.

I hope that, even at this late stage, the House can see the sense of the amendment and will be swayed by Mr Maginness's and my argument for allowing something that is relatively simple and, to me, is a requirement of natural justice. It gives us an assurance that every once in a while a case going before the ombudsman will not fall foul of the system because the person should have had legal representation. Unfortunately, as things stand at present, once a thing starts it is too late to do anything about it. I do not know if it is at the discretion of the ombudsman to decide halfway through his process, "No, hold on. You need legal representation." That would be entirely unsatisfactory because the person under pressure may have done their case some damage before the ombudsman took that decision.

It is all unnecessary. If somebody wants legal representation, or representation by a trade union, an MLA or whatever, I see no reason why they should not have it. It will not add to the costs of the ombudsman's process.

#### **Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):**

I thank Mr Lunn for giving way. I just want to clarify: does he share the same concerns that he has articulated with regard to that clause as he does with the historical institutional abuse inquiry and the powers that have been conferred to Sir Anthony Hart as its chair with regard to whether victims who appear before the inquiry can have their own legal representation?

**Mr Lunn:** I had not thought to compare those two situations, but, off the top of my head, I would say yes. People who appear before the historical abuse inquiry should certainly have the option, at their own request, for legal representation if they so desire.

That is really all I have to say about it. I hope that good sense will prevail and that the House will carry the amendment.

**Mr Allister:** I want to speak in support of Mr Beggs's amendment, amendment No 31. It plugs an obvious gap in respect of a complainant.

I think that some people may have misunderstood the import of the amendment. It will give a remedy to someone like Jenny Palmer, who felt that she had been bullied and oppressed by a special adviser. That special adviser was protected internally from any discipline by his Minister, who superseded and overrode a recommendation to that effect. The individual who was affected, Mrs Palmer, was effectively left without remedy. The amendment would give her the potential of a remedy by making a complaint to the ombudsman about the bullying and oppressive behaviour to which she was subjected by a fully paid civil servant under the guise of being a special adviser.



When Mr Brimstone did what he did to Mrs Palmer, he was being paid out of the public purse as a civil servant. Therefore, his actions should be subject to such restraint as the ombudsman can bring. Thus, it seems to me that the amendment is a sensible extension to that protection. It would make it abundantly clear that civil servants are not above the law of the ombudsman but are caught by it, and, therefore, someone like Mrs Palmer could have complained about the oppressive and bullying behaviour to which she was subjected.

I do not think that that is anything that anyone should dissent from, apart from those with a vested interest. Of course, that is, sadly, the same vested interest that closed down the opportunity to deal with the issue in the Special Adviser's Bill a couple of months ago. That would have made sure that there could not be a superseding of disciplinary proceedings and that special advisers would be subject to the same discipline as civil servants. I suspect that those with the same vested interest that closed that down will close this down. On that, they are again wrong and only expose their vested interest. I support the amendment.

**Mr Nesbitt:** The Committee for OFMDFM has had an opportunity to consider amendment No 31, and it was not content to support it. Committee members noted the restrictions that have been placed on a special adviser by section 7 of the Civil Service (Special Advisers) Act (Northern Ireland) 2013 and the code of conduct. A special adviser does not have power to:

*"authorise the expenditure of public funds ... exercise any power in relation to the management of any part of the Northern Ireland Civil Service, or ... otherwise exercise any power conferred by or under any statutory provision, or any power under the prerogative".*

If there were any action of a special adviser that could give rise to a complaint to the NIPSO, the Committee remained to be convinced that it would not be caught within one of the categories that are provided for under subsections (a) to (d) in clause 13 of the proposed NIPSO legislation.

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

**Mr Nesbitt:** Yes.

**Mr Allister:** The Chairman refers to the protection of the code of conduct, but the whole point at the heart of this is that, yes, there were findings, it appears, by DFP of breach of the code of conduct by Mr Brimstone, but his Minister was able to supersede and override that and protect him from any consequences, leaving the individual affected by the oppressive bullying without a remedy. Surely, the Committee cannot take refuge in saying that the code of conduct is adequate if the track record is of the code of conduct being sidelined.

**Mr Nesbitt:** I thank the Member for his intervention. I do not disagree with him that there is a loophole, but I disagree with him about the correct vehicle for closing the loophole. I emphasise once again that the Committee has considered amendment No 31 and was not content to support it.

Amendment No 51 is a proposal from the Committee. It provides that the power in clause 22 to amend the schedule of excluded matters, which the Bill currently assigns to the Assembly Commission, would lie with

the Office of the First Minister and deputy First Minister. The Committee considered that, as the power touches on policy, it was better to leave the initiative for change with OFMDFM, as it is in the current 1996 Orders. The Committee's amendment — amendment No 52, which was debated earlier — would, if made, provide that OFMDFM must consult the NIPSO and anyone else OFMDFM considers appropriate before exercising the power. In addition, the order must be laid in draft and approved by the Assembly before it is made.

Amendment No 75 makes provision for legal representation in an investigation by the NIPSO. The Committee had an opportunity to consider the amendment and agreed that it could not support it. It would appear to require that the NIPSO pay for the legal representation of any person who requests it in the context of an investigation. It is difficult to see how else the NIPSO could —

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

**Mr Nesbitt:** I will give way in one moment, because I want to make this point for Mr Maginness to address. It is difficult to see how else the NIPSO could satisfy the wording of the amendment, which is:

*"ensure that that person shall be represented".*

**Mr A Maginness:** It is taken for granted that, if anybody has requested representation and been granted it, the cost of that representation is borne by the person who has requested it. There has never been any discussion about the NIPSO paying for representation for anybody whom it may grant representation to, even under the present draft Bill, because it is naturally assumed that, if you are making such representations and you are granted that, you pay for it yourself. I cannot see how one can in any way infer that from the simple meaning of the amendment that has been tabled.

**Mr Nesbitt:** The Member uses phraseology that gives me cause for concern: he says "assume". The Member is much better qualified in law than I am, but assumptions can be challenged. To my mind, he has not assured me that you can ensure that that person shall be represented, as is the wording of amendment No 75:

*"The Ombudsman shall, on receipt of a request from any person, ensure that that person shall be represented in the investigation by counsel, solicitor or otherwise."*

How can you ensure if there is a question of costs? How can we be assured — how can we assume — that that person can afford the costs?

I again make the point, looking at the legal representation that is provided in the historical institutional abuse inquiry, that we have a different regime. I am not sure whether Mr Lunn or indeed Mr Maginness questioned the provisions for legal representation for victims appearing before Sir Anthony Hart. I will give way if the Member wishes to —

**4.45 pm**

**Mr Lunn:** Will you give way to me?

**Mr Nesbitt:** I will give way to you both — Mr Lunn first.

**Mr Lunn:** I thank the Chair for giving way. If this is the only reason why the OFMDFM Committee objects to the

amendment, it really does not withstand scrutiny, with due respect to the Chair. The original wording states:

*“the Ombudsperson may ... determine whether any person may be represented”.*

The word that he is taking exception to in the amendment is “ensure”. I really wonder what the difference is. There is no question here — Mr Maginness is right — of the ombudsman’s office being asked to pay for legal representation. If that had been the intention, we would have said so. It does not mention legal aid, assistance or anything else. There is absolutely nothing in that amendment that gives rise to the assumption that payment by the ombudsman’s office or some sort of legal aid would be required. It is just not there.

**Mr Nesbitt:** I thank the Member for the attempted clarification, but it does not cut it for me. “The ombudsman may determine” means that he makes a choice — he determines. Is it A, or is it B? Is it “Yes, you can have representation” or is it “No, you cannot”? Your verb, however, is that he must “ensure”. It puts a duty on him and leaves him no choice of determination either way. That, for me, is the fundamental difference. I give way to Mr Maginness.

**Mr A Maginness:** I just reiterate the point that the amendment does not imply in any way that the cost or the burden of such representation should be borne by the NIPSO. It is clear from the wording that you cannot infer that. It would certainly be very strange in the circumstances of somebody requesting representation saying, “And, by the way, you will pay for this as well”. It is just not something that can be imported into that amendment. It is clear from the points that have been made in the debate that that was never the intention.

**Mr Maskey:** I thank Mr Nesbitt for further giving way. I know that you sought clarification from the Members who propose the amendment, and that is fine. I think that they have explained what they meant, but that certainly would not have been the reading of the amendment as the Committee had to consider it. As Chair of the Committee, will the Member confirm that the entire — in fact, unanimous — view of the Committee of the policy intent here, from day one, was to make sure that we had a process and a system that would maximise protection for citizens but not in a way that is just completely litigation-driven? We worked on the premise that one lawyer begets another, and that brings it into an entirely different scenario that the Committee had unanimously always sought to avoid. Where we can, we must avoid moving towards that process.

**Mr Nesbitt:** I am happy to give the assurance that Mr Maskey asks for. I have said previously in the debate that the idea is that the NIPSO is an alternative process for resolution, beyond the courts. However, within that process, I also give the assurance that, where possible, we prefer to go forward without legal input, although we accept that there will be circumstances and environments in which legal representation is needed.

I cannot move off the fact that I think that our use of “determine” gives some leeway to NIPSO, whereas the proposed amendment, in demanding that he “ensure” that a person be represented, removes that leeway. I again refer you to Sir Anthony Hart, who has some discretion in awarding legal representation in the historical institutional abuse inquiry.

By way of further explanation, I refer to article 12(7) of the Commissioner for Complaints (Northern Ireland) Order 1996. It provides that only where:

*“it appears to the Commissioner that there may be grounds for making any report or recommendation that may adversely affect any body or person”*

is the commissioner required to give that body or person “the opportunity” of being examined, at their own expense, by their counsel or solicitor and by cross-examination.

The requirement to ensure is not qualified by reference to the person in question being someone who may be adversely affected by a report or recommendation that the NIPSO is contemplating, as is required by the Commissioner for Complaints (Northern Ireland) Order 1996. It seems likely that that approach would have significant cost as well as logistical implications. That takes us to Mr Maskey’s point, because if one party to a complaint lawyers-up, other parties will inevitably feel obliged to do likewise.

As it stands, clause 30 provides that it is for the NIPSO to determine whether any person may be represented in the investigation by counsel, solicitor or otherwise. Having taken advice, the Committee is satisfied that that discretion can be exercised fairly and appropriately and in a way that is compatible with the convention rights of those affected. Accordingly, the Committee for OFMDFM cannot support that amendment.

Amendments Nos 89 and 91 are proposed by the Committee for OFMDFM to simplify the definition of “complaints handling procedure” in clause 34.

Amendment No 235 proposes a change to schedule 7 to the Bill, dealing with investigations under the Local Government (Northern Ireland) Act 2014 of alleged breaches of the local government code of conduct.

The NIPSO has a power in schedule 1(16) to obtain advice, where necessary, from suitably qualified persons to assist in the discharge of the NIPSO’s functions. That amendment, which the Committee was invited to consider by the Office of Legislative Counsel, would provide the same power where an investigation is being carried out under the Local Government Act. The Department was content with that approach.

**Mr A Maginness:** I thank the Member for giving way. In relation to the point that you raised about representation, was there any evidence given to the Committee to suggest that there was any element of abuse of representation during the course of the investigations by the ombudsman, that it had produced a situation where the investigations were over-legalised, if I can use that term, or that there were some problems arising out of the legal representation being granted to any person or body?

I am unaware of such evidence being presented to the Ad Hoc Committee and, in the written representations made by the ombudsman, that point was not made. The ombudsman was saying, “This is an inquisitorial process. It’s much better without lawyers.” Effectively, that is what he was saying, and I agree with him. However, in certain circumstances, lawyers should be involved if people want them. I ask the Chair of the Committee for OFMDFM to confirm whether there was such evidence to suggest that that particular power should be remedied.

**Mr Nesbitt:** Again, I thank the Member for his enquiry. To the best of my recollection, there was no evidence of abuse through the input of legal representation; absolutely not. Was it over-legalised? Again, the evidence did not particularly suggest that that was the case. The bottom line on this, as the Member said, is that this is an inquisitorial process. As I have said before, we are trying to find an alternative to the use of the courts. The Member asks questions to promote his view. However, conversely, do we have any evidence that requests for representation had been refused? We are saying that the ombudsman will determine whether any person may be represented in the investigation by counsel, solicitor or otherwise.

The default position is that we want to try to resolve this without recourse to the law, particularly by avoiding going to court. We are offering an alternative process that will give a resolution. We are bringing together two offices: the Office of the Ombudsman and the Commissioner for Complaints. When the powers between those two bodies are different, we are levelling up in trying to favour the citizen, who is the consumer of public services. As a preference, we want this to be done without legal input, but when legal input is requested, we leave it to the ombudsman to make a determination on whether that is the right course of action. We do not, however, want to tie his or her hands and bind him or her to a regime whereby he or she must ensure that legal representation is available once again. I do not see how you can fulfil that commitment without potential costs being incurred. If you say, "I will ensure that you can have legal representation", and the reply is, "Well, Mr NIPSO, I cannot afford it", the logic is that the burden falls to the taxpayer.

**Mr Beggs:** It seems to me that there has been an acceptance that the current code of conduct for special advisers has been abused in the past. However, some indicated that they do not think that this is the best vehicle via which to try to plug that gap. It is certainly the view of Alex Maskey, who spoke on my amendment, that it is not the appropriate vehicle. What has not been acknowledged is that an earlier attempt to resolve this issue in specific legislation was blocked by the DUP through a petition of concern. There is a lack of clarity on what the appropriate vehicle is. There is some merit in using the ombudsman for this function and for the ombudsman to intervene, not in every case but when complaints have not been dealt with to the satisfaction of a complainant. It is important that we recognise that there is possibly a role for the ombudsman in this area. He has, of course, a degree of independence, therefore his outcomes should be respected.

I would also argue that, if the ombudsman had this power, it would have a series of knock-on effects. It may not work retrospectively, but I am trying to improve things for the future. If, in the future, a Minister knew that, if he did not act appropriately, the matter could be referred to the ombudsman and, ultimately, that inappropriate action in allowing a detailed disciplinary investigation would be exposed, I believe that Ministers would act appropriately rather than potentially expose themselves. If special advisers knew that, if they do not behave appropriately, they could be exposed through referral to the ombudsman, they would act more appropriately in the public interest. I believe that this is an appropriate vehicle. I also believe that it could drive up standards in how Ministers and civil servants behave. Even in cases in which the ombudsman may not need to intervene at all, he could bring about

improvement in behaviour and a better honouring of the code of conduct that our senior civil servants who are special advisers are meant to follow.

## 5.00 pm

I remain of the view that the amendment has merit, and I ask Members to consider it rather than simply push it aside and say, "This isn't the right vehicle". I pose to Members these questions: what is wrong with it and what alternative vehicle is available?

*Question put, That amendment No 31 be made.*

*The Assembly divided:*

*Ayes 26; Noes 63.*

## AYES

*Mr Agnew, Mr Allister, Mr Beggs, Mr D Bradley, Mrs Cochrane, Mr Cochrane-Watson, Mr Cree, Mr Dickson, Mrs Dobson, Mr Eastwood, Dr Farry, Mr Ford, Mr Gardiner, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr McCallister, Mr B McCrea, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mrs Overend, Mr Rogers, Mr Swann.*

*Tellers for the Ayes: Mr Beggs and Mr Lunn.*

## NOES

*Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr Lyons, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Middleton, Mr Milne, Lord Morrow, Mr Murphy, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Storey, Mr Weir, Mr Wells.*

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

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr Nesbitt.*

*Question accordingly negatived.*

## Clause 14 (Matters which may be investigated: general)

*Amendment No 32 made:*

*In page 6, line 9, leave out "Ombudsperson" and insert "Ombudsman".— [Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

## Clause 15 (Matters which may be investigated: health and social care bodies)

*Amendment No 33 made:*

*In page 6, line 19, leave out "Ombudsperson" and insert "Ombudsman".— [Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 16 (Matters which may be investigated: general health care providers)***Amendment No 34 made:*

In page 6, line 28, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 35 made:*

In page 6, line 36, leave out “general medical” and insert “primary medical”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 36 made:*

In page 7, line 1, leave out “personal medical” and insert “primary medical”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Clause 17 (Matters which may be investigated: independent providers of health and social care)***Amendment No 37 made:*

In page 7, line 11, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 18 (Matters which may be investigated: universities)***Amendment No 38 made:*

In page 7, line 27, leave out “the”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 39 made:*

In page 7, line 28, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 40 made:*

In page 7, line 30, after “courses” insert “provided or”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 41 made:*

In page 7, line 33, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 42 made:*

In page 7, line 35, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 19 (Administrative functions of staff of tribunals)***Amendment No 43 made:*

In page 8, line 13, leave out

“First Minister and deputy First Minister acting jointly”

and insert

“Office of the First Minister and deputy First Minister”.— *[Mr Nesbitt (The Chairperson of the*

*Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 44 made:*

In page 8, line 16, at end insert

“(4) Before making an order under this section, the Office of the First Minister and deputy First Minister must consult the Ombudsman and any other person it thinks appropriate.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Clause 20 (Exclusion: public sector employment)***Amendment No 45 made:*

In page 8, line 18, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 21 (Exclusion: other remedies available)***Amendment No 46 made:*

In page 8, line 29, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 47 made:*

In page 8, line 39, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 48 made:*

In page 8, line 41, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 49 made:*

In page 9, line 5, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 22 (Other excluded matters)***Amendment No 50 made:*

In page 9, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 51 made:*

In page 9, line 11, leave out “Assembly Commission” and insert

“Office of the First Minister and deputy First Minister”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 52 made:*

In page 9, line 13, at end insert

“(3) Before making an order under this section, the Office of the First Minister and deputy First Minister must consult the Ombudsman and any other person it thinks appropriate.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*



**Clause 23 (Decisions taken without maladministration)***Amendment No 53 made:*

In page 9, line 15, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 24 (Complaints handling procedure to be invoked and exhausted)***Amendment No 54 made:*

In page 9, line 24, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 55 made:*

In page 9, line 27, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 25 (Duty to inform person aggrieved about the Ombudsperson)***Amendment No 56 made:*

In page 9, line 38, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 57 made:*

In page 9, line 41, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 58 made:*

In page 10, line 1, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 26 (Form and time limit for making complaint)***Amendment No 59 made:*

In page 10, line 3, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 60 made:*

In page 10, line 7, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 61 made:*

In page 10, line 10, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 62 made:*

In page 10, line 13, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 28 (Procedure for complaint referred to the Ombudsperson)***Amendment No 63 made:*

In page 10, line 23, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 64 made:*

In page 10, line 27, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 65 made:*

In page 10, line 29, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 29 (Procedure for own initiative investigations)***Amendment No 66 made:*

In page 10, line 35, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 30 (Investigation procedure)***Amendment No 67 made:*

In page 11, line 5, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 68 made:*

In page 11, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 69 made:*

In page 11, line 10, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 70 made:*

In page 11, line 11, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 71 made:*

In page 11, line 17, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 72 made:*

In page 11, line 18, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 73 made:*

In page 11, line 26, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 74 made:**

In page 11, line 28, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 75 proposed:**

In page 11, line 29, leave out from “, and” to end of line 31 and insert

*“(8) The Ombudsman shall, on receipt of a request from any person, ensure that that person shall be represented in the investigation by counsel, solicitor or otherwise.”.— [Mr A Maginness.]*

*Question put and negatived.*

**Mr Deputy Speaker (Mr Dallat):** Democracy at work.

**Amendment No 76 made:**

In page 11, line 32, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 77 made:**

In page 11, line 34, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 78 made:**

In page 11, line 36, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 79 made:**

In page 11, line 38, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 31 (Information, documents, evidence and facilities)****Amendment No 80 made:**

In page 12, line 7, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 81 made:**

In page 12, line 13, leave out “Ombudsperson’s” and insert “Ombudsman’s”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 82 made:**

In page 12, line 15, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 83 made:**

In page 12, line 20, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 84 made:**

In page 12, line 22, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 33 (Obstruction and contempt)****Amendment No 85 made:**

In page 13, line 3, leave out first “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 86 not moved.****Amendment No 87 made:**

In page 13, line 3, leave out “or any member of staff of the Ombudsperson” and insert

*“, any member of staff of the Ombudsman or any person authorised in accordance with paragraph 14(2) of Schedule 1”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 88 made:**

In page 13, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 34 (Meaning of complaints handling procedure)****Amendment No 89 made:**

In page 13, line 25, leave out paragraph (b).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 90 made:**

In page 13, line 26, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 91 made:**

In page 13, line 27, leave out subsection (2).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Clause 35 (Statement of principles)****Amendment No 92 made:**

In page 13, line 34, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 93 made:**

In page 13, line 39, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 94 made:**

In page 14, line 1, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 95 made:**

In page 14, line 2, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 96 made:**

In page 14, line 5, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 97 made:**

In page 14, line 6, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 98 made:**

In page 14, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 37 (Model complaints handling procedures)****Amendment No 99 made:**

In page 14, line 23, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 100 made:**

In page 14, line 26, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 101 made:**

In page 14, line 28, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 102 made:**

In page 14, line 29, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 103 made:**

In page 14, line 30, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 104 made:**

In page 15, line 1, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 38 (Obligation for listed authority to comply with model CHPs)****Amendment No 105 made:**

In page 15, line 5, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 106 made:**

In page 15, line 7, leave out “subsection (1) applies” and insert

“a listed authority has been notified in accordance with subsection (1)”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 107 made:**

In page 15, line 13, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 108 made:**

In page 15, line 16, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 39 (Declaration of non-compliance of complaints handling procedure)****Amendment No 109 made:**

In page 15, line 18, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 110 made:**

In page 15, line 20, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 111 made:**

In page 15, line 24, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 112 made:**

In page 15, line 28, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 113 made:**

In page 15, line 33, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 114 made:**

In page 15, line 36, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 115 made:**

In page 15, line 37, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 40 (Submission of description of complaints handling procedure: general)****Amendment No 116 made:**

In page 15, line 40, leave out first “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 117 made:**

In page 15, line 40, leave out second “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 118 made:**

In page 16, line 2, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 119 made:**

In page 16, line 6, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 120 made:**

In page 16, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 121 made:**

In page 16, line 10, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 42 (Promotion of best practice etc.)****Amendment No 122 made:**

In page 16, line 17, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 123 made:**

In page 16, line 23, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

5.30 pm

**Clause 43 (Reports on investigations)****Amendment No 124 made:**

In page 16, line 33, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 125 made:**

In page 17, line 5, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 126 made:**

In page 17, line 7, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 127 made:**

In page 17, line 10, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 128 made:**

In page 17, line 11, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 44 (Publication of reports on investigations in the public interest)****Amendment No 129 made:**

In page 17, line 14, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 130 made:**

In page 17, line 17, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 131 made:**

In page 17, line 19, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 132 made:**

In page 17, line 21, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 133 made:**

In page 17, line 23, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 134 made:**

In page 17, line 24, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 45 (Publication of reports on own initiative investigations)****Amendment No 135 made:**

In page 17, line 27, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 136 made:**

In page 17, line 29, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 46 (Reports to the Assembly)****Amendment No 137 made:**

In page 17, line 32, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 138 made:**

In page 17, line 33, leave out “Ombudsperson’s” and insert “Ombudsman’s”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 139 proposed:**

In page 17, line 34, leave out subsection (2).— *[Mr Lunn.]*

Question put and negatived.



**Amendment No 140 made:**

In page 17, line 35, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 141 made:**

In page 17, line 38, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 142 made:**

In page 17, line 40, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 143 made:**

In page 17, line 41, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 144 made:**

In page 18, line 1, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 145 made:**

In page 18, line 2, leave out “Ombudsperson’s” and insert “Ombudsman’s”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 146 made:**

In page 18, line 2, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Clause 47 (Reports and privileged information)****Amendment No 147 made:**

In page 18, line 4, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 148 made:**

In page 18, line 6, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Clause 48 (Privilege for certain publications)****Amendment No 149 made:**

In page 18, line 14, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 150 made:**

In page 18, line 15, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 151 made:**

In page 18, line 17, leave out paragraph (c) and insert“(c) in publication by a person aggrieved, in the course of communication with the Ombudsman, of any statement made by the person aggrieved in connection with an investigation.”.— [Mr Nesbitt (*The Chairperson of the*

*Committee for the Office of the First Minister and deputy First Minister*).]

**Amendment No 152 made:**

In page 18, line 18, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 153 made:**

In page 18, line 20, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Amendment No 154 made:**

In page 18, line 21, leave out “Ombudsperson’s” and insert “Ombudsman’s”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Clause 49 (Disclosure of information)****Amendment No 155 made:**

In page 18, line 27, leave out “Ombudsperson” and insert “Ombudsman”.— [Lord Morrow (*The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill*).]

**Mr Deputy Speaker (Mr Dallat):** I plead with you, please, to keep quiet for just another few moments so that I can hear.

**Amendment No 156 made:**

In page 18, line 31, after “information” insert

“obtained by the Ombudsman which is”.— [Mr Nesbitt (*The Chairperson of the Committee for the Office of the First Minister and deputy First Minister*).]

**Amendment No 157 made:**

In page 18, line 32, after “information” insert

“obtained by the Ombudsman which is”.— [Mr Nesbitt (*The Chairperson of the Committee for the Office of the First Minister and deputy First Minister*).]

**Amendment No 158 made:**

In page 19, line 6, leave out “Ombudsperson” and insert “Ombudsman”.— [Mr Nesbitt (*The Chairperson of the Committee for the Office of the First Minister and deputy First Minister*).]

**Amendment No 159 made:**

In page 19, line 14, leave out “Ombudsperson” and insert “Ombudsman”.— [Mr Nesbitt (*The Chairperson of the Committee for the Office of the First Minister and deputy First Minister*).]

**Amendment No 160 made:**

In page 19, line 18, leave out “Ombudsperson” and insert “Ombudsman”.— [Mr Nesbitt (*The Chairperson of the Committee for the Office of the First Minister and deputy First Minister*).]

**Clause 50 (Disclosure contrary to public interest)****Amendment No 161 made:**

In page 19, line 38, leave out “Ombudsperson” and insert “Ombudsman”.— [Mr Nesbitt (*The Chairperson of the Committee for the Office of the First Minister and deputy First Minister*).]

**Amendment No 162 made:**

In page 20, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 163 made:**

In page 20, line 11, leave out “Ombudsperson” and insert “Ombudsman”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 164 made:**

In page 20, line 14, leave out “Ombudsperson” and insert “Ombudsman”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Clause 51 (Consultation and co-operation with other ombudspersons)****Amendment No 165 made:**

In page 20, line 19, leave out “Ombudsperson” and insert “Ombudsman”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 166 made:**

In page 20, line 22, leave out “Ombudsperson” and insert “Ombudsman”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 167 made:**

In page 20, line 23, leave out “Ombudsperson” and insert “Ombudsman”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Clause 52 (Application to county court by person aggrieved)****Amendment No 168 made:**

In page 21, line 15, leave out “Ombudsperson” and insert “Ombudsman”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Clause 54 (Application to High Court by Attorney General)****Amendment No 169 made:**

In page 22, line 13, leave out “Ombudsperson” and insert “Ombudsman”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 170 made:**

In page 22, line 18, leave out “Ombudsperson” and insert “Ombudsman”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 171 made:**

In page 22, line 21, leave out “clinical or”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 172 made:**

In page 22, line 26, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 55 (Relief granted by High Court)****Amendment No 173 made:**

In page 22, line 37, leave out “clinical or”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 174 made:**

In page 22, line 41, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 56 (Court proceedings and privileged information)****Amendment No 175 made:**

In page 23, line 2, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 57 (Supplementary provision in relation to court proceedings)****Amendment No 176 made:**

In page 23, line 7, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 177 made:**

In page 23, line 10, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 58 (Ombudsperson to be Judicial Appointments Ombudsman)****Amendment No 178 made:**

In page 23, line 20, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 179 made:**

In page 23, line 23, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 59 (Interpretation)****Amendment No 180 made:**

In page 24, line 19, leave out first “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 181 made:**

In page 24, line 19, leave out second “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Clause 64 (Commencement)****Amendment No 182 made:**

In page 25, line 11, at end insert“(a) section 1 (including Schedule 1),

(b) section 3.”— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Mr Deputy Speaker (Mr Dallat):** Sorry, may I ask people again to keep quiet, please?

**Amendment No 183 made:**

In page 25, line 17, at end insert“(g) in Schedule 2, paragraphs 5, 11 and 12.”— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 184 made:**

In page 25, line 18, leave out subsection (3).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 185 made:**

In page 25, line 38, after “to” insert “the board of governors of”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 186 made:**

In page 25, line 41, after “Schedule 1 (“ insert “the board of governors of”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Clause 66 (Short title)****Amendment No 187 made:**

In page 26, line 15, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Schedule 1 (The Northern Ireland Public Services Ombudsperson)****Amendment No 188 made:**

In page 27, line 7, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 189 made:**

In page 27, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 190 made:**

In page 27, line 11, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 191 made:**

In page 27, line 13, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 192 made:**

In page 27, line 16, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 193 made:**

In page 27, line 23, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 194 made:**

In page 27, line 27, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 195 made:**

In page 27, line 28, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 196 made:**

In page 27, line 30, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 197 made:**

In page 28, line 3, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 198 made:**

In page 28, line 10, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 199 made:**

In page 28, line 14, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 200 made:**

In page 28, line 18, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 201 made:**

In page 28, line 21, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 202 made:**

In page 28, line 27, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 203 made:**

In page 28, line 35, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 204 made:*

In page 28, line 40, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 205 made:*

In page 28, line 42, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 206 made:*

In page 29, line 1, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 207 made:*

In page 29, line 3, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 208 made:*

In page 29, line 3, leave out “appointed as”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 209 made:*

In page 29, line 7, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 210 made:*

In page 29, line 16, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 211 made:*

In page 29, line 20, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow.]*

*Amendment No 212 made:*

In page 29, line 24, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 213 made:*

In page 29, line 32, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 214 made:*

In page 29, line 35, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 215 made:*

In page 29, line 36, leave out “Ombudsperson’s” and insert “Ombudsman’s”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 216 made:*

In page 30, line 2, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 217 made:*

In page 30, line 3, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 218 made:*

In page 30, line 5, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 219 made:*

In page 30, line 14, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 220 made:*

In page 30, line 16, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 221 made:*

In page 30, line 19, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 222 made:*

In page 30, line 21, leave out first “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 223 made:*

In page 30, line 21, leave out second “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 224 made:*

In page 30, line 24, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 225 made:*

In page 30, line 26, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 226 made:*

In page 30, line 28, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 227 made:*

In page 30, line 29, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 228 made:*

In page 30, line 30, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*





*Amendment No 255 made:*

In page 32, line 9, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 256 made:*

In page 32, line 11, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 257 made:*

In page 32, line 14, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 258 made:*

In page 32, line 20, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 259 made:*

In page 32, line 22, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 260 made:*

In page 32, line 23, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 261 made:*

In page 32, line 33, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Schedule 2 (Transfer of assets, liabilities, staff, and other transitional arrangements)**

*Amendment No 262 made:*

In page 33, line 7, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 263 made:*

In page 33, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 264 made:*

In page 33, line 20, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 265 made:*

In page 33, line 22, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 266 made:*

In page 33, line 27, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 267 made:*

In page 33, line 29, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 268 made:*

In page 33, line 30, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 269 made:*

In page 33, line 34, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 270 made:*

In page 33, line 41, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 271 made:*

In page 34, line 31, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 272 made:*

In page 34, line 35, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 273 made:*

In page 34, line 37, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 274 made:*

In page 35, line 10, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 275 made:*

In page 35, line 12, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 276 made:*

In page 35, line 13, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 277 made:*

In page 35, line 32, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 278 made:*

In page 36, line 2, after “where the” insert “relevant”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 279 made:*

In page 36, line 8, leave out “the” and insert “an”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 280 made:**

In page 36, line 10, leave out sub-paragraph (2) and insert

*“(2) On and after the transfer day, the complaint may be made or referred under this Act, and the provisions of this Act apply for the purposes of making, referring, investigating and dealing with that complaint, save that if the complaint is made or referred within the time period required under—*

*(a) the Ombudsman (Northern Ireland) Order 1996, where the complaint could have been made or referred to the Assembly Ombudsman for Northern Ireland,*

*(b) the Commissioner for Complaints (Northern Ireland) Order 1996, where the complaint could have been made or referred to the Northern Ireland Commissioner for Complaints,*

*the complaint will be deemed to comply with the time period required under this Act.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 281 made:**

In page 36, line 14, leave out first “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 282 made:**

In page 36, line 14, leave out second “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 283 made:**

In page 36, line 15, at end insert

**“COMMISSIONER FOR PUBLIC APPOINTMENTS**

**12.—(1) The repeal by this Act of the Commissioner for Complaints (Northern Ireland) Order 1996 does not affect the definition of “public appointment” in the Commissioner for Public Appointments (Northern Ireland) Order 1995.**

**(2) Sub-paragraph (1) does not affect the exercise of prerogative powers in respect of the Commissioner for Public Appointments referred to in section 23(3) of the Northern Ireland Act 1998.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]**

**Schedule 3 (Listed authorities)****Amendment No 284 made:**

In page 36, line 29, leave out from “, a joint committee” to end of line 31.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 285 made:**

In page 38, line 39, leave out

*“and any committee or sub-committee of a new town commission”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Schedule 5 (Other excluded matters)****Amendment No 286 made:**

In page 40, line 13, leave out “56.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 287 made:**

In page 40, line 23, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 288 made:**

In page 40, line 31, after “maladministration” insert

*“and that such injustice has not been remedied, and”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 289 made:**

In page 40, line 32, leave out head (b).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 290 made:**

In page 40, line 33, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Schedule 6 (Amendments consequent upon Ombudsperson being Northern Ireland Judicial Appointments Ombudsman)****Amendment No 291 made:**

In page 41, line 12, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 292 made:**

In page 41, line 13, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 293 made:**

In page 42, line 9, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Amendment No 294 made:**

In page 43, line 30, leave out heads (b) and (c).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**5.45 pm****Amendment No 295 made:**

In page 43, line 37, leave out “sub-paragraph” and insert “sub-paragraphs (2) to”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Amendment No 296 made:**

In page 43, line 39, at end insert

*“(f) in sub-paragraph (6) leave out ‘(4)’ and insert ‘(1)’.”— [Mr Nesbitt (The Chairperson of the*

*Committee for the Office of the First Minister and deputy First Minister).]*

**Schedule 7 (Amendments to Part 9 of the Local Government Act (Northern Ireland) 2014)**

*Amendment No 297 made:*

In page 44, line 39, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 298 made:*

In page 45, line 6, at end insert

“and

(c) as if in section 31(5) the references to section 32(1) and (2) had no effect.”— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 299 made:*

In page 45, line 10, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 300 made:*

In page 45, line 16, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 301 made:*

In page 45, line 25, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 302 made:*

In page 45, line 30, leave out “ombudspersons” and insert “ombudsmen”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 303 made:*

In page 45, line 36, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 304 made:*

In page 45, line 40, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 305 made:*

In page 45, line 40, at end insert

“(b) paragraph 16 (advisers) applies in relation to the functions of the Commissioner under this Part as it applies in relation to the functions of the Ombudsman under the 2015 Act.”— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 306 made:*

In page 45, line 42, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 307 made:*

In page 46, line 5, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 308 made:*

In page 46, line 8, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

**Schedule 8 (Other minor and consequential amendments)**

*Amendment No 309 made:*

In page 46, line 17, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 310 made:*

In page 46, line 21, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 311 made:*

In page 46, line 25, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 312 made:*

In page 46, line 27, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 313 made:*

In page 46, line 32, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 314 made:*

In page 46, line 35, after “Equality Commission,” insert “the board of governors of”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 315 made:*

In page 46, line 38, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 316 made:*

In page 47, line 1, after “Northern Ireland department,” insert “the board of governors of”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 317 made:*

In page 47, line 5, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 318 made:*

In page 47, line 7, after “Northern Ireland department,” insert “the board of governors of”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 319 made:*



In page 47, line 11, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 320 made:*

In page 47, line 13, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 321 made:*

In page 47, line 20, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 322 made:*

In page 47, line 23, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 323 made:*

In page 47, line 27, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

*Amendment No 324 made:*

In page 47, line 29, after "the Commissioner," insert "the board of governors of".— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 325 made:*

In page 47, line 31, leave out "Ombudsperson" and insert "Ombudsman".— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

## **Schedule 9 (Repeals)**

*Amendment No 326 made:*

In page 49, line 26, leave out "paragraph 14" and insert

"

	paragraphs 13 and 14
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— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

*Amendment No 327 made:*

In page 49, leave out from line 35 to the end of line 1 on page 50.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

**Mr Deputy Speaker (Mr Dallat):** That concludes the Further Consideration stage of the Public Services Ombudsperson Bill. The Bill stands referred to the Speaker.

I ask the House to take its ease while we change the top Table.

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

## **Public Accounts Committee: Reports and Memoranda of Reply**

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

**Ms Boyle (The Chairperson of the Public Accounts Committee):** I beg to move

*That this Assembly takes note of the following Public Accounts Committee reports:*

*'Report on Tackling Social Housing Tenancy Fraud in Northern Ireland' [NIA 197/11-16]*

*'Report on the Future Impact of Borrowing and Private Finance Commitments and Belfast Metropolitan College's Titanic Quarter PPP Project' [NIA 202/11-16]*

*'Report on Northern Ireland Courts and Tribunals Service Trust Statement for the Year Ended 31 March 2013' [NIA 215/11-16]*

*'Report on Primary Care Prescribing' [NIA 230/11-16]*

*'Report on Managing and Protecting Funds Held in Court' [NIA 246/11-16]*

*'Report on the Cross-border Broadband Initiative: The Bytel Project' [NIA 253/11-16]*

*and the following Department of Finance and Personnel Memoranda of Reply:*

*'Report on Tackling Social Housing Tenancy Fraud in Northern Ireland'*

*'Report on the Future Impact of Borrowing and Private Finance Commitments and Belfast Metropolitan College's Titanic Quarter PPP Project'*

*'Report on Northern Ireland Courts and Tribunals Service Trust Statement for the Year Ended 31 March 2013'*

*'Report on Primary Care Prescribing'*

*'Report on Managing and Protecting Funds Held in Court'*

*'Report on the Cross-border Broadband Initiative: The Bytel Project'*

Go raibh maith agat, Mr Principal Deputy Speaker. While there is not time for me to go into all the items listed in the motion, I will take a short time to remind you of the role of the Public Accounts Committee (PAC) and the scope of the Committee's work. The Committee is a Standing Committee of the Assembly, set up under the NI Act 1998 to consider accounts and reports on accounts laid before the Assembly. The accounts of all Departments and, indeed, those of most public-sector bodies are prepared and laid by the Comptroller and Auditor General (C&AG), who is head of the Audit Office here. The C&AG may also make value-for-money reports and reports on efficiencies and effectiveness.

The Audit Office's role is to examine closely public expenditure from a position of independence of government. I must commend the Audit Office for the excellent support that it has provided to the PAC, not just this year but throughout this mandate.

It has assisted the Committee in its pursuit of protecting the public purse and getting to the bottom of how public money has been spent. I am personally very grateful for the efforts that the C&AG and his team have put into supporting the Committee.

During this mandate, the PAC has worked tirelessly to reinforce the standards required of people in public life, to prevent fraud, and to encourage whistle-blowers. It has also worked on improving processes, such as the checks and controls for managing public money, promoting good governance, ensuring accountability, and striving for greater value for money for the taxpayer.

The past few years have presented new economic and social challenges. Never has ensuring good value for money been more important than it is today, with ever increasing cuts in public expenditure. It is surely in everyone's interest to want to minimise the impact of the cuts on the lives of people, particularly those who are dependent on public services and public expenditure. Maximising the effectiveness of public spending ensures improvements in productivity that ultimately protect front-line services. The PAC has the advantage of being able to look across Departments and, in so doing, identify trends and challenges that are relevant in all or many Departments and agencies.

To improve value for money performance by Departments and agencies, it is important to look at performance over time as well as at a particular point in time. Our reports have striven to do that, to reinforce lessons learnt, and to minimise the danger of making the same mistakes time and again.

The details of the motion give some indication of the wide range of work undertaken by the Public Accounts Committee in contributing to a better and more efficient delivery of our public services. PAC reports have dealt with important issues, such as tackling tenancy and other types of fraud. They also maximise opportunities to realise efficiency savings, such as those identified in our 'Report on Primary Care Prescribing'; our call for greater transparency in government borrowing and PFI commitments; and for making improvements to contract and performance management, as was the case in the Belfast Metropolitan College project. We have also stressed the importance of whistle-blowers, the use of whom could have avoided substantial losses to the public purse in the Bytel case.

The most vulnerable in our society, in particular, need to be protected, and that was an issue that we dealt with in our 'Report on Managing and Protecting Funds Held in Court'. That report looked at the Court Funds Office, which provides a banking and investment service for many of the most vulnerable in our society who are incapable of looking after their own affairs. The office was in need of a radical overhaul. My colleague Mr Beggs will go into the specifics of our findings and recommendations later. However, by honing in on instances where public funds are being spent unwisely, the PAC has made recommendations for improvements.

It is not just about making recommendations; it is about monitoring the implementation of those recommendations. The PAC expects its recommendations to be fully considered and implemented, which it monitors through a memorandum of reply (MOR). I welcome the work undertaken this year on agreeing a protocol on the memorandum of reply between the Committee and DFP. PAC regards the MOR as an integral part of the public accountability cycle and monitors Departments' progress on the implementation of its recommendations. In that regard, I acknowledge the important role that DFP plays in working with Departments on the production of MORs to ensure that Departments respond to each PAC recommendation as fully and as positively as possible. This has resulted in great improvements in the quality of MORs over recent years, which is to be commended.

#### 6.00 pm

The PAC aims to be constructive in pointing out that lessons need to be learned to improve performance. Whilst our inquiries tend to be specific to a particular Department or body and the issues pertaining to it, there are lessons to be learned throughout government. PAC reports this year highlighted a number of lessons that can be applied across the public sector. We have striven to be constructive in our recommendations and offer guidance about what needs to change to avoid a repeat of certain events. We also seek out and publish good practice. Finding exemplars of excellent value for money is a more effective tool for securing change. Much can be learned from the successes as well as the failures.

I wish to talk specifically about our report on the future impact of borrowing and private finance commitments in the Belfast Metropolitan College's Titanic Quarter PPP project. The Committee examined the use of a private finance initiative (PFI) in the development of Belfast Metropolitan College's Titanic Quarter project, which was the largest and most expensive further education public-private funding project ever undertaken here. As part of its inquiry, the Committee also considered the wider issues around the transparency and efficiency of PFI projects and the impact of borrowing commitments.

On the wider issue of the impact of borrowing on private finance commitments, the Committee heard how the Executive have increased their spending power and supplemented the funding of capital investment by using PFI contracts and accessing borrowing under the reinvestment and reform initiative. Both funding streams give rise to long-term and inescapable financial commitments. The current cost of meeting those commitments is approximately £375 million each year, and servicing them is the first call on the Executive's Budget.

Current operational PFI contracts have committed the Executive to over £7 billion in future years, with their annual cost standing at £250 million. The Executive expect to have access to borrowings of £2.7 billion from the national loans fund. In 2013-14, the cost of repaying those borrowings was £103 million. That will rise to over £140 million within the next three years. The significant cost of borrowing will further increase depending on a decision to continue to access borrowings beyond 2016.

Despite the size and impact of these commitments on budgets, there has been no central collection or reporting of that directly to the Assembly or its Committees.

There is scope for improving the information provided to the Assembly on borrowings and the use of PFI. This issue of transparency and accountability was raised by the Committee over five years ago. It is therefore disappointing that we are back here again. The public has a right to know how and where its money is being spent. That lack of transparency on long-term commitments with the Assembly and its Committees is not acceptable, and we are pleased that our recommendations for greater transparency have been accepted and are being progressed by OFMDFM. If that information remains behind a smokescreen, it only undermines the ability of the statutory Committees to hold Departments to account.

The Committee is of the view that there is scope to generate additional efficiencies from current operational PFI contracts. The public sector needs to act as a more intelligent customer in procuring and managing projects after contract. Improved contract-management practices, such as benchmarking and market testing, will provide better evidence of whether projects are delivering value for money.

In evidence to the Committee, we heard how such reviews into water PFI contracts had resulted in £11 million of savings being delivered. This clearly demonstrates the potential benefits of such reviews, especially as there are 32 operational PFI projects in the North. However, we heard how there was no strategic programme for reviewing PFI contracts and maximising the opportunities to realise value-for-money savings. The Committee considers that this could be done better if it were driven centrally.

In recognition that the expertise is thinly spread across the system, we recommended that OFMDFM, in conjunction with the Strategic Investment Board, developed such a programme to drive long-term efficiencies from operational PFI projects and maximise value-for-money savings. We are pleased that this recommendation was accepted.

I turn to Belfast Metropolitan College's Titanic Quarter PPP project. First, I would like to place on record that the Committee acknowledges that this project has achieved many satisfactory outcomes. For example, the campus has won awards for the building's design and high environmental standards, and it has delivered a high level of staff, student and employer satisfaction. However, the Committee had very serious concerns about the project management, governance, decision-making and procurement process of the college and the Department's oversight in this respect.

The audit trail supporting the identification of accommodation requirements for the new campus was weak. The case for going down the PFI route was marginal at best. The project completion was put in jeopardy as a result of difficulties in relation to the consultancy contract, the costs of which were allowed to overrun considerably from £300,000 to £1.5 million. The preferred bidder was given its preferred bidder status prematurely, despite the extent of the unresolved issues with its proposals. This and its privileged development position on the Titanic Quarter site enabled it to dictate the pace and outcome of negotiations with the college, which extended from a planned 12 months to 33 months. The value for money of the deal eroded significantly during this period. Despite deciding to go down the PFI route due to funding issues, the Department for Employment and Learning ended up paying £20 million of the £44 million capital cost up front. In addition, while the sale of the properties was meant to

help fund the project, DEL was left to pick up a shortfall of £14 million in expected receipts.

The Committee concluded that when all the costs, including the significant shortfall in receipts from the sale of the surplus properties, were taken into account, this was a costly project that did not represent good value for money. The Committee was extremely disappointed at these very serious shortcomings in the way that the project was managed and that the lessons to be learned were not new. These are recurring themes in the management of capital projects that, despite having been raised before, still arose. The Committee made several further recommendations to help protect the public sector's interest and ensure value for money going forward. We are pleased to note that these have been accepted.

I will now pass on to other Committee members who will talk about our other reports in more detail.

**Mr Girvan:** Speaking as a member of the PAC, I wish to focus on the Northern Ireland Courts And Tribunals Service report, which covered the financial year ending 31 March. During that inquiry, it was quite evident that the recovery of fines was not very successful. At that date, £19 million of that year's fines had yet to be recovered and was outstanding. It was unlikely that £6.5 million of that would ever be recovered. There were a number of reasons for that. One reason was that, during the process, it was identified that 6,682 warrants — I think that that is the right number — had gone missing and not been served. As a consequence, there had been a loss of £1.1 million to the Northern Ireland Court Service. It was identified that that was gross negligence. That was confirmed by the Chief Constable in his evidence to the Committee. He could offer us no explanation as to how or why that had happened. In dealing with the process, it also identified that the cash-handling process left itself open to major fraud. As a consequence, a PSNI officer was found guilty of the theft of fines amounting to £52,789. That identified a major shortcoming in how penalties and fines were being paid.

The process identified that we are in the 21st century but that we are dealing with an archaic system that has no recognition of the fact that you can pay by any means other than cash. Moneys were being put into an envelope and handed in through a door. It had to be paid in cash; receipts were not always being issued. All sorts of problems were identified in relation to the payment of fines that were not being paid through the courts office, but being collected by police officers. It was recommended that that process be moved forward into the 21st century and that people should be able to make payments by other means, such as Switch —

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

**Mr Girvan:** I will surely, yes.

**Mr Clarke:** I think it would be wrong to characterise every member of the Police Service of Northern Ireland who handled them as being the same. Only one incident of this kind was found, albeit that shows that there was an opportunity for that to happen. I would like to put on record that only one was ever found guilty of that crime.

**Mr Girvan:** I thank the Member for his intervention —

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

**Mr Girvan:** — but it alluded to a part that caused concerns in that we had already identified the lack of controls within the process, which could have left the process open to abuse. Only one was identified; I appreciate that you cannot tar everyone with the same brush. The process did not represent value for money. The courts had to pay the Police Service £3 million a year to collect that money, and about £1.4 million was paid from the Prison Service for dealing with it. Some people were actually put in prison for non-payment of TV licences, but some of the costs of putting them into prison and taking them through that process were far more than would have been incurred in relation to the associated fines.

I felt that there was a great benefit from the report. It identified a number of areas, and, in doing so, there was a recognition of all of the points that were brought forward by the Committee as recommendations. They were accepted by the courts, and some of them have been implemented. The report stated that there are many other ways of looking at these things. It also stated that it was necessary to modernise and move forward. Furthermore, it stated that the system for collections that is in operation should be looked at with a view to outsourcing it to a better and more effective process of recovery, and ensuring that that would work. The report identified all of those areas over which there was a lot of concern.

The Court Service seemed to be set in its ways in relation to its difficulties in processing and in ensuring that there was an effective and efficient mechanism to follow up the recovery of fines in a timely manner. Likewise, the Court Service needs to ensure that warrants go out in a timely manner, are not piled up until there is a lot to go out and, then, have to be chased round. A process more in line with following up directly and not wasting officers' time was recommended. There was a recognition that officers have more important things to do —

**Mr Principal Deputy Speaker:** Will the Member draw his remarks to a conclusion?

**Mr Girvan:** — than run around and gather fines. It was recommended that they use other mechanisms.

**Mrs D Kelly:** I rise merely to underscore the importance of having the Public Accounts Committee. There are a number of reports tabled before us today, which Members have referred to.

Like them, I am sure, I have concerns about how recommendations are followed up, how they are reported on and whether or not that is done frequently enough. I will be interested to hear the views of Members and the Minister in assuring the House that the Public Accounts Committee's important work of scrutiny and ensuring transparency and the service that it provides are cherished by all parties and that it is given the resources that it requires and the authority that it needs to assure not only the Committee itself but, more importantly, the public that there is a mechanism in the House that, outside all other Committees, will look at the work of Departments, value for money and the very issues that other Members have raised with regard to following through on action plans and on the monitoring and evaluation of recommendations. There were concerns that there had been a squeeze on funding, as has been the case right across Departments, but it should not be a like-for-like- squeeze. There should be a common-sense approach not only to the work of

the Assembly but, very importantly, the work of this most important of scrutiny Committees in assuring the public that they can have confidence in the ability of Members to hold those responsible to account.

## 6.15 pm

It is fairly safe to say that very few charges have been brought against people as a consequence of the abject failures of good governance or, indeed, the criminality revealed in some of the reports. Reports need to be presented to the House in a more timely fashion, and the Committee needs some real-time ability to seek answers and recommendations on glaring omissions or acts of negligence by Departments and/or individuals. If there are any areas of best practice elsewhere that the House might adopt, perhaps the Chair might look at them further, alongside the Minister. As I have said, I believe that the work of the Public Accounts Committee is widely acclaimed. It is a Committee that others look to for reassurance that there is a level of accountability within the structures of the Assembly for the public and others and that there is a sense of fair play in the delivery and procurement of services.

I would like reassurance from the Minister on the budget going forward in relation to the Committee, and I ask for timeliness in the presentation of reports and the monitoring of the recommendations that flow from them.

**Mr Beggs:** First, I reiterate the words of the Chairperson in thanking the Northern Ireland Audit Office staff and, indeed, our Assembly Committee staff for their help and support during my period on the Committee. There is good partnership working, and everyone benefits from that. I will focus on the managing and protecting of funds held in court. I hope that, later, as a former member of the Health Committee, I will have time to touch briefly on primary care prescribing.

The Court Funds Office provides a banking and investment service for some of the most vulnerable people in society including minors and adults who are incapable of looking after their own affairs. It manages their money at the behest of the courts. At the time of our report, it was responsible for managing some £290 million on behalf of 14,000 clients. What we and, indeed, the Audit Office report found was that this has been a Cinderella service, stuck in the past and not providing value for money. Perhaps, given the lack of scrutiny and focus that would have been on it prior to devolution, that is not surprising. The Committee found that the Court Funds Office had a lack of financial expertise and was almost totally reliant on the professional advice of a stockbroker to make recommendations regarding the investment of client funds. That is the function of a professional expert in this area, but it is also good to have a degree of independent scrutiny of actions that have been taken. I see from the Department of Finance and Personnel's 9 July 2015 memorandum that not only was a non-executive director with extensive management experience in the banking sector appointed in 2011 but a second such independent adviser was appointed in January 2015. That is to be welcomed.

I move on to other aspects of the service. One issue that was not covered was that too much funding had been allocated to low interest-paying savings accounts. That would be fairly obvious to anyone considering whether it was a good investment. Clearly, there was a need to



modernise the structure and the ability to wisely invest those funds. I welcome the recommendation that we made and, indeed, to a degree, the subsequent efforts by the Department of Justice to modernise its legislation. That will, in turn, enable it to provide a better service. Things are starting to improve, and that has to be welcomed.

I will touch briefly on the report on primary care prescribing. There are very significant costs in prescribing medicines in Northern Ireland, as there are in other parts of the United Kingdom. The Audit Office report highlighted that significant savings could be made by following good practice. From my experience on the Health Committee, I would argue that there has been overprescribing in some areas. Indeed, the Audit Office report shows that there was huge variation between GP practices with the lowest prescribing rates and those with the highest, with the highest prescribers costing more than twice as much as the lowest. Clearly, there is work to be done there. I note that the relevant memorandum, dated 1 May 2015, indicates that contract negotiations on that aspect are going on to see how there can perhaps be better management and performance measurement. There is an indication that this could relate to the pharmacy issue. That is an important area in which there could be significant savings without penalty to the public. Improvements can occur —

**Mr Principal Deputy Speaker:** I ask the Member to conclude his remarks.

**Mr Beggs:** — to ensure that appropriate generic drugs are allocated rather than some of the branded drugs. That could be easy pickings. I ask that we continue to push along that way.

**Mr Clarke:** The Comptroller and Auditor General and his team should be congratulated for the work that they do. Committee members were given a remit for what we were supposed to say today on different areas, but it will be difficult for me, given that the previous contributor has covered most of my points. I will read my script out anyhow.

Primary care prescribing costs around £460 million a year. That is approximately 10% of health and social care expenditure. This, I am sure Members will agree, is a significant part of the healthcare budget, and we need to ensure that we get the best value for money, especially with the immense squeeze on all Executive budgets. It is clear that prescribing costs in Northern Ireland are not in line with the rest of the UK. The Audit Office estimated that, if the prescribing costs per head of population in Northern Ireland in 2013 had been in line with those in Wales, overall prescribing costs in Northern Ireland could have been reduced by £73 million.

The Committee noted that the Department was reluctant to accept the validity of the cost comparison either locally between GP practices or with other regions. While acknowledging that there may be differences, the Committee questioned whether the regional service delivery differences outlined by the Department fully explain the extent of the cost differential. The Committee recognised that, working with the Health and Social Care Board, GPs had achieved savings in prescribing costs since 2010 but that there was significant scope for further improvement. A key element in the savings has been achieved through prescribing lower-cost generic versions of drugs. The Committee welcomes campaigns such as Go Generic in reassuring people of the effectiveness of

generic drugs rather than branded drugs and is pleased to see that the Department is taking steps to inform and educate patients on the rationale for prescribing decisions.

However, in an examination of GP prescribing patterns, in three out of the 15 therapeutic areas, the Committee learned that GPs here tended to prescribe more expensive generic versions of drugs compared with their UK counterparts. More cost-effective prescribing in these areas alone could have saved the health service £8.3 million in 2012 and £6.5 million in 2013. Additionally, reducing local prescribing levels of the most frequently dispensed drug in Northern Ireland, pregabalin, to those elsewhere in the UK would have released over £8.5million in 2012 and £9.7million in 2013. The Committee was concerned that prescribing costs per head of population here are not in line with other parts of the UK. Given that we are the only region that incurred higher costs per head of population in 2013 than in 2007, the Committee concluded that we have been much slower in achieving savings. This money could have been better used elsewhere in the health service at a time of budgetary pressure.

Given the Department's own acknowledgement that there may be scope to save tens of millions of pounds, the Committee was disappointed that steps have not been taken to quantify the savings that could be generated by the most cost-effective prescribing. The Committee recommended that the HSC Board take a more proactive approach to examining prescribing patterns in each of the 12 therapeutic areas to establish the potential for generating savings. The Committee is pleased that the HSC Board is proactively benchmarking prescribing in other parts of the UK to see the potential for generating future savings and that HSC is developing a three-year strategy that will incorporate a focus on these efficiencies.

In conclusion, the Committee's report had nine recommendations, and these have all been accepted by the Department. These included the Committee's wanting GP remuneration to be linked to prescribing performance. This would require renegotiation of a UK-wide contract, and the Department, in its recent memorandum of reply update, has stated that it will, through the annual negotiation process, discuss performance arrangements, including the introduction of specific performance arrangements for prescribing. The Committee also concluded that benchmarks on prescribing performance should be established to compare GP prescribing performance, and benchmarking data should be published periodically, sharing this data in order to improve efficiency.

**Mr Principal Deputy Speaker:** I call Mr Conor Murphy.

I call Mr Jim Wells.

**Mr Wells:** I have never seen Mr Murphy speechless in my life before.

I served on the PAC several years ago, and I thought that, as a result of the diligence of people like Mr Dallat and Mr Seamus Close, who were Rottweilers on the Committee and relentlessly exposing all sorts of public scandal on expenditure, by the time that I got back onto PAC, its work would be done. I thought that no further obvious gaffs and mistakes would be being made in Departments and that we would not be spending money very unwisely. Little did I know that, when I returned to the Committee, things would be worse than when I left.

A week does not seem to go by that I sit on the Committee and my jaw does not drop to the floor as we yet again see the most elementary mistakes being made by senior government officials and arm's-length bodies doing things that an ordinary housewife or ordinary accountant would never dream of doing. We see it time after time, and, if Members think that this latest set of reports from the PAC is interesting, wait until you see the next set. We have had an insight, and I can assure you that, when it comes to the Northern Ireland Events Company report, every mistake that could have been made was made by many people. So here we are, in a very brief debate, reviewing extremely important issues. One thing that is absolutely guaranteed is that the PAC will never run out of issues to investigate.

I will highlight housing tenancy fraud, whereby social housing is occupied by someone who is not entitled to it. As Members from throughout Northern Ireland, we all know about the intense demand for social housing. I have only to think of Newcastle in my constituency, where there is a huge demand for social housing and a finite supply that is not meeting the need. It is, therefore, totally unacceptable that, whilst genuine families and individuals who are desperately looking for social housing are left out in the cold, there are others who are occupying houses that they should not be entitled to.

**6.30 pm**

**Mrs D Kelly:** I thank the Member for giving way. It is a concern that I share in my constituency. Does the Member agree that we need to start to hold to account those who have squandered and participated in fraudulent activities, resulting in millions or hundreds of thousands of pounds of wasted public money? Should we not prioritise and start at the top and work our way to the bottom and hold people to account?

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

**Mr Wells:** Thank you. The Northern Ireland Events Company was mentioned. Well, wait until we get to the report next year on the funding for social housing, and we will see some of the calamitous wastes of money that have occurred in various parts of Belfast and even in south Down. We will see money being squandered that could have been used to build much-needed social housing for people who are genuinely in need. However, as I said, we will have to keep our powder dry until next year for that one, when Mrs Kelly will certainly have an opportunity to lambaste those who have squandered so much money.

The money involved is quite significant. Each 100 houses fraudulently occupied, if detected, will save £800,000 in the costs of housing homeless families. Therefore, we are talking about roughly £8,000 per dwelling that is occupied by the wrong person or by someone who should not be there. Until recently, unfortunately, the Housing Executive and the housing associations have only looked at abandoned properties, but, in 2012-13, they recovered no fewer than 302 abandoned properties in Northern Ireland. If that is what is going on in only one sector of social housing fraud, what is really going on out there in the real world? The shocking discovery made by the Committee is that, at the time of this report, there had not been one single prosecution for housing tenancy fraud in Northern Ireland. That is an extraordinary situation, given the extent of the problem. I understand that, since the Committee started its inquiry, there has been progress made in a

prosecution — and about time, too. It is only when people open their local newspapers and see that society takes this issue extremely seriously that they will stop using social housing as a plaything.

The Committee also, in my opinion, made a very sensible recommendation. It said that there should be more cooperation between housing associations, the Housing Executive and statutory undertakers, such as utility companies, to cross-examine the information held by those bodies and identify who is living where and who should not be living where. Again, it strikes me as absolutely obvious that they should check to see who is paying the electric bill, the phone bill, the rates etc to establish who is actually in the property. Time and time again, as a constituency representative, I get this issue reported to me, and I pass the information on to the executive or whatever. Sometimes action is taken, and sometimes it is not. That indicates to me that, until the PAC took the issue up, it was not being treated seriously.

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

**Mr Wells:** I certainly will.

**Mr Beggs:** Is the Member aware of the Housing (Amendment) Bill that is currently going through? It might lend itself to such amendments. Will he make a point of looking at it and, perhaps, support me in widening the information's availability?

**Mr Wells:** We welcome that, but the Housing Executive, from memory, was formed in 1974, and, here we are, over 40 years later, and we are only getting to grips with this issue. How many millions of pounds of taxpayers' money have been wasted —

**Mr Principal Deputy Speaker:** I ask the Member to conclude his remarks.

**Mr Wells:** — as a result of a lack of action on this issue over the last four decades?

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Like other Members, I have a pre-prepared speech, but I will touch on some of the comments that Mr Wells made about the tenancy fraud issue. It is an issue that the Committee for Social Development is currently looking at through the Housing (Amendment) Bill that Mr Beggs has touched on, but the Department for Social Development seems to be very reluctant to amend that Bill to deal with the sharing of information from electricity supply companies with social housing providers. The officials tell the Committee that there has been a separate piece of work under way for over a year, yet those officials are not able to give the Committee any evidence of what they have done so far. It seems to be stuck in the Department for Social Development, but I know that the Committee for Social Development is considering amending the Housing (Amendment) Bill to include the sharing of information with regard to the use of electricity by electricity supply companies with social housing providers.

I want to address most of my remarks to the report published this year by the Public Accounts Committee on the cross-border broadband initiative, the Bytel project. It provided high-speed broadband connectivity across Ireland and was delivered by a Belfast-based company, Bytel Networks Limited. The project was funded by the Special EU Programmes Body (SEUPB) but jointly

sponsored by the Department of Enterprise, Trade and Investment and the Department of Communications, Energy and Natural Resources. DETI had lead responsibility for project oversight and management. Bytel had costs of €4.3 million, but the project was by no means the largest project that the Committee has explored in terms of expenditure. That does not mean that the failings were any less significant or serious. Bytel delivered very poor value for money, and the Committee had grave concerns about the validity of the grant claims submitted and paid in respect of the project.

The Committee found that the project should never have been approved for public funding in the first place. Despite many clear warning signs about its viability from an early stage, it somehow managed to slip through the net. It was clear to the Committee, with the benefit of hindsight, that both Departments, particularly DETI, were preoccupied with the desire to utilise the EU funding that was available for the project rather than ensuring that it was properly managed and would deliver value for money. In that regard, the Public Accounts Committee in the North worked well with the Public Accounts Committee in the Oireachtas to ensure that a joint approach was taken, with two inquiries at the same time. We held joint meetings to make sure that there was a coordinated approach and that information was shared well between Committees.

The Bytel project was heavily dependent on a contribution by a key partner, but, just weeks after the project was approved, that partner withdrew. DETI did not properly test that partner's contribution prior to awarding funding. Had it done so, it would have found that it had made no firm commitment to support the project. Bytel then made fundamental changes to the way its project was to be delivered, and, as a result, the costs of delivering it reduced dramatically. DETI did not reappraise the project at that stage, and that resulted in substantially more grant being paid to the project than was required. The failure to reappraise the project when it changed significantly was a fundamental shortcoming that contributed significantly to the problems that followed.

The Committee found that the standard of DETI's scrutiny and checking of grant claims from Bytel was appalling: for example, €1.3 million was paid for equipment that was ineligible for funding, worth only around €30,000 and never used in the project. The final grant claim for €2.2 million was paid in full despite the fact that there was no supporting evidence. The Committee concluded that the claim had no validity whatsoever. It is no surprise, given the Department's lax performance, that almost €4.2 million of the €4.3 million grant paid for the project was subsequently deemed ineligible for assistance.

We found that the Department's handling of serious allegations from whistle-blowers about the project was totally inadequate. It is beyond belief that initial allegations made in 2006 were investigated by the same officials who had authorised the payment of grant claims. The Department's senior management accepted unwarranted assurances from those officials that there were no matters of concern in the project. The Department also failed to investigate an internal Bytel email that contained allegations about improper activity.

Further allegations from whistle-blowers were received by the Department in 2008. The Department's investigation of those allegations was unduly protracted. A full

investigation commenced only in 2011, initiated by other stakeholders who had become concerned about the problems with the project. The Committee was astonished that DETI withheld vital information about the project from key stakeholders, including SEUPB and the Department in the South, for far too long. Overall, DETI's response to the whistle-blower allegations was not of an acceptable standard, and that was a matter of great concern to the Committee.

**Mr Principal Deputy Speaker:** I ask the Member to conclude his remarks.

**Mr Flanagan:** I will, yes.

The fact that so much of the money was deemed ineligible for funding but has not been recovered was a further point of consternation for the Committee.

**Mr Allister:** I want to begin by commending the PAC for its work and for the various reports. The one that I wish to address myself to is the one that the last Member who spoke referred to: the broadband Bytel project. I find it quite astounding that a project entitled to only €0.3 million support in fact got €4.3 million support on the basis of wiping the Department's eye or the Department turning a blind eye — it is not entirely clear to me which. There was supposed to be support of one third for a project supposed to cost €12 million. In fact, when the forensic assessment was ultimately done, all that it was entitled to was €300,000, even though it had pocketed €4.3 million under the INTERREG programme.

How could such a thing happen? Yes, it initially happened under the bad old days of direct rule when we were told that Ministers did not care, they let Departments run amok, and civil servants could do what they liked. But then there was a great fresh start, supposedly, in May 2007, and assiduous, focused, determined local Ministers took over, and all the bad old days would be over.

What do we discover about this case? Matters continue, whistle-blowers come along, and there is no proper investigation. We discover that it was not until 2011 that the Department even thought it appropriate to tell the SEUPB that there was a problem. We discover that in 2008-09, on a second whistle-blower, there was to be an investigation under the Police and Criminal Evidence Act (PACE), with interviews under caution. It did not happen. It was decided, "No, no, we needn't bother with that."

Who decided that? Where was the ministerial control? Maybe we are fortunate tonight that the Minister in the House in her new portfolio was, for a large part of that period, the Minister of Enterprise, Trade and Investment, from 2008 until I cannot remember when, but certainly through a lot of that time. So what were the officials under the Minister's control doing? Where was the ministerial control? Who decided that there would not be a PACE investigation? Why has there still not been a PACE investigation? Who came up with the nonsense that this was collective responsibility in order to absolve individuals of their involvement in the project?

The Committee has raised many legitimate questions but has not had answers. I look forward perhaps to the receipt, through this debate, of some answers tonight.

This was not just the squander of €4 million. Because there was inactivity and a fear to address and deal with the situation, the opportunity to spend European money on a

deserving project was lost. So even that opportunity was blown in pursuit of doing nothing, in pursuit, apparently, of covering the tracks of the Department. How could the Department, as the joint implementing agent, oversee such squander and then, apparently, ensure that no one found out about it by not even telling the SEUPB until five years later? There is much explaining to be done, and I look forward to the explanations.

**Mrs Foster (The Minister of Finance and Personnel):**

Thank you very much, Mr Principal Deputy Speaker. As you and the House will know, this is my first experience of a Public Accounts Committee debate as Minister of Finance. One wishes that some Members had read the papers before they came into the House. Clearly, they cannot read some of the dates in some of the reports. However, that is a matter for them.

Before I move to the main business of the debate, I would like to acknowledge the work undertaken by the Public Accounts Committee and the Northern Ireland Audit Office since last year's debate. Much work has been done, and there is a lot to discuss.

I would like to make some general comments from a finance perspective that will set the scene for the coming few years. Members are already all too aware that the months and years ahead will be crucial for Northern Ireland. Our public sector is undergoing a period of unprecedented change on a number of fronts.

**6.45 pm**

There has already been significant change achieved through local government reform. During 2016, the number of Northern Ireland Departments will reduce from 12 to nine. However, I believe that the new local government landscape, and the new departmental structures coming into force next year, will improve how government interacts with key stakeholders and will help deliver better and more efficient government for the people of Northern Ireland.

On top of this changing landscape, continuing budgetary pressures have led to significant staff reductions across the public sector, and this is set to continue. Within that context, there remains an ongoing need to achieve efficiencies in service delivery, and last week's national spending review indicated that the Northern Ireland block will remain very constrained over the next five-year period, particularly on the resource side. Departments will therefore have to deliver these efficiencies within reduced baselines, and I hope that bodies such as the Audit Office and, indeed, the Assembly will play their part in delivering efficiency improvements.

In service delivery, I believe that reform is an essential factor in shaping how services are delivered for Northern Ireland in the future. It needs to be driven, not only by the budgetary position but by the need to transform how we develop, design and engage on the delivery of all public-sector services. There are several ongoing projects and initiatives aimed at delivering public-sector reforms. They include the Northern Ireland public sector innovation lab, launched just last year, and the digital transformation programme. My departmental officials are fully engaged in both programmes.

As well as tackling the immediate operational challenges, reform must address the Executive's longer-term aims and identify and develop innovative and cost-effective ways

to achieve these. Recognising this, we have agreed to a strategic review of public-sector reform in Northern Ireland. The review, which is being led by the Organisation for Economic Co-operation and Development (OECD) is due to report by the end of this year, and that report is going to really help us shape the future of the reform programme and inform the new Programme for Government for the 2016-2021 period. The focus will produce an outcomes-based approach that will help to ensure that the investments we make produce positive results in the areas we aim to address. So, it is not so much about looking at the process but looking more at the output.

Organisational change is therefore going to be part of our daily life in the public sector in the future, and it is something that Members in the House will have to get used to. During periods of significant changes, there will be new challenges and risks that will arise. We need to acknowledge and recognise that, in managing change and the risks that emanate from that, we may not always get everything right. However, change has to be made, and it has to be taken forward responsibly. While we should be held accountable for all that we do, that does not mean that we should become risk-intolerant or risk-averse. For me, that would be the very worst thing that could happen.

I hope that the Committee will agree with me that, in times ahead, we need to embrace new ways of doing things and apply innovation and creativity where possible. However, as I have just said, that will not be without risk. I think that the Public Accounts Committee has a key role in ensuring that Departments, agencies and other public-sector bodies are able to embrace the change without the fear of Audit Office or PAC criticism being foremost in their minds, or indeed overshadowing them — or worse still, inhibiting the changes and reforms that are very necessary.

In that context, I think that some of the recent work undertaken by the Department in conjunction with the Public Accounts Committee and the Audit Office since last year's debate will assist in this. It will also help to improve overall working relationships and strengthen the public audit process. I want to take a few minutes to update Members on the nature and outcome of some of that work.

First, there is the clearance of Audit Office reports. The production of Audit Office reports is the first, and undoubtedly key, stage in the overall public audit process. After all, the scrutiny of officials by the Public Accounts Committee starts with the Audit Office value-for-money report. We all recognise and agree the importance of timely, accurate and agreed Audit Office reports as the basis for the Committee's evidence sessions. At times, that has been a challenging process for all concerned. Since the last debate, my officials have engaged constructively with the Audit Office and have agreed protocols and guidance for the agreement and clearance of Audit Office value-for-money reports. It is considered that the protocols, which were issued in April, will provide for a more streamlined and timely clearance process for the Departments and the Audit Office in relation to the production of evidence-based, value-for-money reports. The overall aim, of course, is to produce a better product for consideration by the Committee.

To promote those protocols, the Audit Office and the Treasury Officer of Accounts held meetings with departmental accounting officers to discuss the key points and implementation of the new guidance. I understand



that this was seen as a positive development by those involved. My officials will monitor the effectiveness of the new protocols with Departments over the next year. In the meantime, and in line with the new protocols, I expect that Departments will work constructively with the Audit Office in the production of value-for-money reports.

That will be important for the timely publication of Audit Office reports. On occasions, reports have been published very close to the dates scheduled for evidence sessions by the Committee. This has become more common over the last year or so, with some reports having been published just over a week in advance of PAC hearings. I believe that this places undue pressure on all concerned. It certainly places a lot of pressure on Departments, which, at the same time as going through the Audit Office clearance process, have to prepare for an appearance before the Public Accounts Committee on a report that can change right up to the very end. I have no doubt that it also has an adverse impact on Committee preparations for evidence sessions. Perhaps we can all give some thought to reducing occurrence of this in future if it continues to be a problem.

I would also like to mention a further set of protocols agreed between my Department and the Committee for the handling of memoranda of reply. This work finished earlier this year and, again, was the product of very constructive engagement with the Committee, and I thank the Committee for its input. The protocols, as the Committee will be aware, included new guidance for the preparation of memoranda of reply. This was aimed at ensuring that MORs provide clear, direct and succinct responses to the Committee's recommendations. My officials have worked hard with Departments to ensure implementation of the new guidance and believe that the overall quality of responses contained in the MORs has improved. I hope that this is a point on which the Committee would agree.

A final piece of guidance issued by my Department in September was in connection with the public audit process and commenting in the media. At the outset, I would like to say that I fully agree with my predecessor's view that, on occasions, the publicity surrounding reports was unbalanced and appeared to sensationalise certain aspects of reports for maximum media effect rather than provide a fair and balanced view — a bit like Mr Allister's contribution today. My predecessor, Simon Hamilton, asked departmental officials to revisit the guidance in this area to address the imbalance and to clarify for Departments the circumstances in which Ministers may wish to make comment to the media to ensure that a balanced view is portrayed.

I am aware that the Committee had some concerns about that guidance and that the previous Treasury Officer of Accounts attended the Committee in September to discuss them. However, I am fully satisfied that the revised guidance continues to recognise and respect the role and standing of the Public Accounts Committee and remains broadly in line with the formal position adopted by Her Majesty's Treasury.

Turning to the general audit process — and linked to my earlier comments on the fear of audit or PAC criticism becoming a key, sometimes overriding, concern — it remains important that we do not lose sight of the fact that many of the issues raised in value-for-money and PAC reports, while providing valuable lessons that can apply right across the public sector, tend to be specific

to an organisation or project. In many cases they are not representative of the high standards of governance and accountability that operate across the wider public sector. Indeed, the Comptroller and Auditor General's recent report — a report that aims to provide assurance to this House on the use of public funds — states that there has been improvement since last year in the number of accounts receiving qualifications and that the standards of financial accounting in Northern Ireland remain high. This is something that we should remember when considering cases where the expected standards have not been applied. Such cases, important though they are, should be considered within the context of the wider Northern Ireland public sector.

That said, we should not be complacent about such issues or about the wider risks associated with change.

Indeed, as the Comptroller stated a couple of weeks ago when publishing a good practice guide, it is a widely accepted principle that during periods of significant change the risk of fraud escalates. I know that fraud has been a key theme that has featured in a number of Audit Office and PAC reports in recent years. It is timely, therefore, that, with regard to fraud investigation capacity within the Northern Ireland public sector, I am able to confirm that a group internal audit and fraud investigation service for Northern Ireland Departments has been established with effect from 1 April this year. The new service sits within my Department and has been established following a commitment given to the PAC in response to its report on Northern Ireland Water's response to a suspected fraud and DRD's review of a whistle-blower complaint. The group service is now available to NICS Departments, agencies and arm's-length bodies to utilise where fraud investigations are required to be undertaken. Since April, the group service has taken on over 20 investigations on behalf of Departments and other bodies.

With the establishment of the group fraud investigation service, fraud investigation procedures have been developed and are being refined. My Department will use those operational procedures to issue further guidance to the wider public sector in the near future. The guidance will also incorporate the valuable lessons that have been learned from various investigations considered by the Committee. Additionally, the recently published Audit Office guide, which I referred to earlier, draws on existing good practice on how to manage the risk of fraud during periods of organisational change. The guide, which is entitled 'Managing Fraud Risk in a Changing Environment', has been issued by my Department for other Departments to consider.

I also want to mention two other good practice guides published by the Audit Office over the course of the last year: 'Whistleblowing in the Public Sector', which was issued in conjunction with other UK audit authorities; and 'Conflicts of Interest'. Those are both important issues that have been raised by the Committee on numerous occasions.

My officials have circulated the Audit Office guide on whistle-blowing to all accounting officers. That was done alongside the provision of some other additional points of good practice that arose from hearings held by the Committee. It is considered that that package of guidance will help to support earlier guidance we provided that

focused on developing and promoting organisational whistle-blowing arrangements.

We fully recognise that conflicts of interest must be identified and effectively managed by public bodies. That needs to be done to ensure that public confidence in the delivery of public services is maintained and, indeed, that the integrity of staff and board members is safeguarded. As we well know, integrity is one of the seven key principles of public life. While I welcome the Audit Office guide on conflicts of interest, my Department has recognised the need for further guidance in the area. As such, officials will be developing specific guidance on conflicts of interest, which will draw on various sources already available, including our own 'On Board' guide, the lessons learned through the Public Accounts Committee and the Audit Office's good practice guide.

Overall, to summarise the last year, much positive work has been done that will assist Departments, the Audit Office and the Public Accounts Committee in the performance of all their respective audit duties. We are, however, moving into challenging times — we should reflect on that — which will see unprecedented change. No one could but argue that we must continue to encourage and support best practice in financial management and in relation to the proper conduct of public business, but, in seeking to make the improvements in the efficiency and quality of services provided to the public, we must provide balance to ensure that the system does not become paralysed by the fear of potential failure or adverse PAC or, indeed, Audit Office criticism.

I will move on to some of the issues that were raised by Members. The Chair concentrated her remarks on Belfast Metropolitan College's Titanic Quarter PPP project. My Department is content to work with OFMDFM and the Strategic Investment Board on improving the way in which PFI savings are examined. Anything that aids transparency in what, I acknowledge, is a very complex area is to be welcomed.

## 7.00 pm

Long-term affordability of borrowing is something that DFP has been monitoring for a number of years now. My predecessor provided a draft borrowing strategy to the Executive outlining the longer-term affordability of borrowing and how it might be managed. Those are issues that are routinely discussed by the Executive in the context of its Budget process, and they will no doubt be discussed in the very near future around that issue again.

Mr Girvan referred to the Committee's report on the Northern Ireland Courts and Tribunals Service trust statement for the year ending 31 March 2013. The Department of Justice informed me that it is making good progress and that three of the six PAC recommendations have been fully implemented, including identifying an individual's ability to pay, improved governance arrangements and control structures, and regularly reconciling warrants issued to the Police Service of Northern Ireland. So, work is proceeding in relation to those issues as well.

In relation to Mrs Kelly's point about the follow-up on commitments made by various Departments, it is, of course, a matter for accounting officers to ensure that the PAC commitments are implemented. DFP has

established a database that records commitments, and Departments update progress against those. So, we have a live database, if you like, that looks at those. Internally, they are monitored by departmental audit committees and internal audit annually. The Audit Office carries out an impact assessment against commitments. So, I want to assure Mrs Kelly and the House that, once commitments are made, they are monitored. They are not just ignored and forgotten about. They are taken very seriously by Departments.

Mr Beggs went on to talk about managing and protecting funds held in court. Again, with regard to strengthening governance arrangements for the Court Funds Office, revised terms of reference for the judicial liaison group are under consideration by the Northern Ireland Courts and Tribunals Service and action is being taken to identify a consumer representative to attend meetings of that group. So, matters are under way there to deal with those commitments as well.

In respect of primary care prescribing, that matter was raised by Mr Beggs and Mr Clarke. DHSSPS has informed me that the Health and Social Care Board is taking forward the development of a three-year medicines management strategy. Workshops to inform that are being held and will provide the material to develop that strategy.

Mr Wells referred to tackling social housing tenancy fraud in Northern Ireland. DSD has assured me that it realises that this is a very serious issue and has taken a number of steps to deal with it. Using the Audit Office formula, in the year 2013-14, DSD has made £2 million of saving in respect of the fraud issues.

Finally, Mr Flanagan and Mr Allister referred to the Bytel project, which, of course, was before my time as Minister. Some people in the Chamber cannot accept that that is the case, but I am sure that he will if he reads it again.

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

**Mrs Foster:** No, I will not give way. Those issues —

**Mr Allister:** Just tell us why the PACE investigation was shelved.

**Mr Principal Deputy Speaker:** The Minister has agreed not to give way to the Member.

**Mr Allister:** I wonder why.

**Mrs Foster:** He says that he wonders why. Perhaps he could read the report.

**Mr Allister:** Tell us why the PACE investigation was shelved.

**Mrs Foster:** Perhaps he could read the report.

I consider that, in the year ahead, we have created the right risk balance, which is a key challenge for Ministers, Departments, the Audit Office and the PAC. I want to thank virtually everybody for taking part in the debate.

**Mr Principal Deputy Speaker:** I ask the Member to conclude her remarks.

**Mr Dallat:** May I just point out that I am the longest serving member of the Committee, having probably been on it for 14 or 15 years or more, and we have never had any kind of inter-party rows. I think that is where the Public Accounts Committee stands head and shoulders above what might

happen in some other Committees. I commend all of the members of the current Public Accounts Committee and previous ones for their service and how they endeavour to do that.

In fact, the only broadsides that I have heard were just now from Mr Allister on the Bytel project.

The Chairperson of the Committee, Michaela Boyle, opened the debate by emphasising the independence of the Public Accounts Committee. She also pointed out that we do not lambaste and criticise every Department on every occasion, but have, in fact, singled out exemplar material. Indeed, on one occasion, we went to a primary school in Coleraine where we felt the best examples of addressing literacy, numeracy and absenteeism were to be found. That was Millburn Primary school. I know that other neighbouring schools in socially deprived areas of that town have also done outstanding work, and we recognised that. There are many other examples of the Public Accounts Committee recognising good practice, so it is not all negative.

Obviously, Belfast Metropolitan College was mentioned, and rightly so. We do that because we expect lessons to be learned. We expect a strategic review to take place and mistakes of the past to be avoided. That point was made very well by Jim Wells, who reminded me that he had been on the Committee previously and rejoined it. He was quite upset to find that the bad practice of the bad old days was still being repeated, and that is one of our major concerns.

Paul Girvan was concerned about the way in which the Northern Ireland Courts and Tribunals Service collects fines. I am sure that the public would be absolutely horrified to learn that people have been taken to court, fined, and the fines are either not collected or, if they are, never get back to where they belonged. I have no doubt that fundamental changes in that have taken place. It often intrigued me that the Courts Service insisted on cash when every Department is advising people not to keep cash. So there you have it.

Dolores Kelly mentioned the monitoring and evaluation of reports, which was, rightly, picked up on by the Minister. We welcome the undertakings that have been given.

Roy Beggs spoke on the issue of protecting funds held for vulnerable people by the courts. It may be interesting to hear that that particular aspect of government was last revised in 1935, so there is really every justification for the Public Accounts Committee to be interested in that. Again, the Minister acknowledged that vast improvements have taken place, which, of course, is exactly what the Public Accounts Committee is about.

Trevor Clarke referred to the cost of prescriptions, generic drugs and so on. He is absolutely right; there are, potentially, millions of pounds to be saved there.

Jim Wells could not resist referring to previous Committee members as Rottweilers. I do not think that I got that term; Seamus Close did. However, one of the reports that came before us recently was on the Northern Ireland Events Company, which was an absolute scandal. We have been criticised for publishing reports too quickly, but that issue is about seven years old and, at this stage, I am not sure what may happen.

Mr Flanagan, who has left us at this point, spoke on Bytel. That was a cross-border project and, if something positive

can be got out of that, it is the fact that the Public Accounts Committees in Dublin and here in Belfast worked together extremely well to produce an agreed report. That, I think, is to the credit of the members of both Committees, North and South.

The Minister said that there was a fear of reports, and I am sorry about that. She claimed that reports are sometimes not representative of the high standards of service. I hope that I have consoled the Minister by accepting the fact that there are excellent examples of good service. At all times, the Public Accounts Committee will identify those and comment on them. However, the cases involving Bytel, the Events Company and others are not examples of best practice. Never was that more relevant than today, with all the effects of austerity cuts and ordinary people's difficulties in making ends meet.

I hope that, in the wider community, there is a recognition that the Public Accounts Committee has an enormous role to play in the Assembly, whoever is serving on it. Like everything else, it will have to change. Reference was made to the structure of the Public Accounts Committee. There may be a desire to make it more representative to give the opposition, if such a thing exists, a more important role in scrutinising the Government's work. I look forward to that from a distance.

Members raised the point that, very often, when bad practice is discovered — I am thinking in particular of the Fire Authority for Northern Ireland, which is now the Fire and Rescue Service Board — nobody is ever made amenable. There have been various PSNI reports into aspects of government work, and nothing ever happens. That will need to be addressed.

It may be that, in the glory days, when public money was in great abundance, you just dismissed these things and wrote them off, with an accounting officer being moved to another Department or even elevated to a House higher than this one. Today, every penny needs to be accounted for, and people who sign off on projects of any kind need to be made amenable. There is no excuse for them not being so, and no one on the Public Accounts Committee, irrespective of their political party, would disagree.

The PAC will continue to make strident and robust recommendations, particularly when controls have broken down and there is a lack of adherence to standards and ethics. The Committee will pursue the implementation of the recommendations until it is satisfied that suitable measures have been taken to ensure that lessons have been well and truly learned. Dolores Kelly referred to that, and we have an understanding from the Minister that a follow-up will be a critical part of that.

This is not the first time that we have found that poor management has cost the taxpayer vast sums of money. Members referred to several projects in which that was the case, and it is only fair and reasonable that the Public Accounts Committee's work, in harmony with the Audit Office, was entirely justified. The independence of the Audit Office and the Public Accounts Committee is critical for the future. A previous Minister suggested that the Department of Finance and Personnel might subsume the Audit Office. That would be an absolute tragedy, because its independence is vital in ensuring that scrutiny is truly independent.

I listened very carefully to the Minister. Her contribution was positive. She will find that the Public Accounts Committee works closely with the Departments. It is fair to point out that we will retain our independence in every respect.

We recognise that you have to have a working relationship with your colleagues in all Departments.

#### 7:15 pm

I thank Mr Jack Layberry, the former Treasury Officer of Accounts. In particular, I highlight his work with the Committee in drafting a memorandum of understanding protocol during his time in post, which has now been agreed between the Committee and the Minister. The Minister has acknowledged that, so we are at one in that regard. I also welcome Alison Caldwell, who has taken up this post. I look forward to working with her in her new role over the next few months.

The Committee has seen a number of changes in its membership over the past 12 months. I thank departing Members for their contribution and commitment to the work undertaken by the Committee. I also welcome new Members and look forward to working with them as we move towards the end of this mandate. Since the last take-note debate, the PAC has published a total of six inquiries with memorandums of reply. These published reports have included a wide range of issues, including complex investigations whose subject matter has gone back a number of years and taken some time to complete. Indeed, some of them consumed an awful lot of time.

More than ever, the PAC's role is vital in ensuring that public money is used in the most efficient way possible so as to ensure that the greatest value is achieved for every pound that is spent from the public purse. We continue, with the help of the Audit Office in its reports, to focus our powers on the Departments and other public bodies that we believe have tapped into the public purse unwisely, and seek to bring them to account. We, as a Committee, understand the value of a lessons-learned approach and aim to be constructive in our findings and reports. Rather than merely pointing the finger and saying that we do not want to see x, y or z happening again, we make recommendations that offer guidance in order to avoid a repeat occurrence in the future. The Public Accounts Committee has never criticised any Department for following through on what it planned to do, even when that did not have the result that it might have wanted. It is simply when Departments or arm's-length bodies do not follow their own plan that the criticism arises.

The Committee expects these recommendations to be accepted and implemented as quickly as possible. The memorandums of reply and subsequent 12-monthly updates give the Committee the opportunity to continue to keep track of the implementation of these recommendations and to ensure that they are followed through in their entirety. As indicated, the work of the PAC is supported greatly by the Northern Ireland Audit Office. I thank the Comptroller and Auditor General and his staff for their help and assistance throughout the year.

Speaking in a personal capacity and, as I referred to earlier, as the longest-serving member of the Committee, I want to recognise those Committee members who have done so much to give the Public Accounts Committee a

standing in the Assembly that each and every one of the 108 Members should be extremely proud of. I assure all the Members present, and those who are not, that the Public Accounts Committee is one of our best tools for convincing the public at large that money is fully accounted for under a regional Government. I want to see that demonstrated with clarity as we move on.

*Question put and agreed to.*

*Resolved:*

*That this Assembly takes note of the following Public Accounts Committee reports:*

*Report on Tackling Social Housing Tenancy Fraud in Northern Ireland [NIA 197/11-16]*

*Report on The Future Impact of Borrowing and Private Finance Commitments and Belfast Metropolitan College's Titanic Quarter PPP Project [NIA 202/11-16]*

*Report on Northern Ireland Courts and Tribunals Service Trust Statement for the year ended 31 March 2013 [NIA 215/11-16]*

*Report on Primary Care Prescribing [NIA 230/11-16]*

*Report on Managing and Protecting Funds Held in Court [NIA 246/11-16]*

*Report on the Cross-border Broadband Initiative: The Bytel project [NIA 253/11-16]*

*and the following Department of Finance and Personnel Memoranda of Reply:*

*Report on Tackling Social Housing Tenancy Fraud in Northern Ireland*

*Report on The Future Impact of Borrowing and Private Finance Commitments and Belfast Metropolitan College's Titanic Quarter PPP Project*

*Report on Northern Ireland Courts and Tribunals Service Trust Statement for the year ended 31 March 2013*

*Report on Primary Care Prescribing*

*Report on Managing and Protecting Funds Held in Court*

*Report on The Cross-border Broadband Initiative: The Bytel project*

**Mr Principal Deputy Speaker:** I invite Members to take their ease while we change the Table for the next item of business.



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

## UN Climate Change Conference 2015

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

**Ms Lo (The Chairperson of the Committee for the Environment):** I beg to move

*That this Assembly notes that the 2015 United Nations Climate Change Conference is taking place in Paris from 30 November to 11 December; considers that this is an opportunity to agree an ambitious global plan to tackle the threat of climate change; welcomes the Minister of the Environment's attendance at this conference to represent Northern Ireland; further notes that the projected reduction of greenhouse gas emissions of 33·3% by 2025, based on 1990 levels, falls just short of the Programme for Government target of 35%; and calls on the Minister of the Environment to work with his Executive colleagues to increase existing efforts and consider innovative approaches to help reduce emissions and move to a low carbon economy.*

On behalf of the Committee of the Environment, I am delighted to move the motion. I welcome the opportunity to open the debate on this important issue.

Today marks the start of the 2015 United Nations Climate Change Conference in Paris, which will run until 11 December. The aim of the conference is to agree an ambitious global plan to tackle the threat of climate change. Over the next weeks, around 190 nations, represented by world leaders, environment Ministers and government officials, will be in attendance. Our Minister of the Environment plans to attend as part of the UK delegation.

Climate change is a complex problem. Many people are very passionate about tackling climate change. That was evident in the many rallies held around the world yesterday, including in Belfast. At the very heart of the response to climate change lies the need to reduce emissions. Governments agree that emissions need to be reduced so that global temperature increases are limited to below 2°C.

In Northern Ireland, the Programme for Government set a target of reducing gas emissions by 35%, based on 1990 levels. Some progress has been made, and, currently, Northern Ireland has reduced its greenhouse gas emissions by 16%. The last published projections estimate that, by 2025, Northern Ireland will fall short of its target and reduce greenhouse gas emissions by only 33·3%. While that is not a huge shortfall, in itself, we still have a long way to go until 2025. Policies, which might impact on a reduction of emissions, can change. The next projection, based on the 2013 greenhouse gas inventory, will be available in December. It will be interesting to see the revised figures when they are published.

The Committee recognises the efforts that are being made to respond to the impacts of climate change here. The 'Northern Ireland Climate Change Adaptation Programme' is an important document in tackling climate change. It is required by the UK Climate Change Act 2008 and contains strategic objectives, proposals and policies by which each Department will meet those objectives up to 2019. It identifies flooding, water, the natural environment, agriculture and forestry as primary areas for action. However, another important aspect in the battle against climate change is mitigation — taking action to reduce greenhouse gas emissions. Statistics show that the largest sources of emissions in Northern Ireland are agriculture, transport, energy supply and residential sectors.

It is evident, therefore, that a joined-up government approach is required to further our efforts to reduce greenhouse-gas emissions and to move to a low-carbon society.

Throughout the mandate, the Committee has been briefed on the impact of climate change. In 2012, it was briefed by the Met Office. We were presented with its observations of changes to the atmosphere and oceans since 1856, and its views on what has contributed to those changes. The Met Office also outlined its projections for changes to Northern Ireland's climate over the twenty-first century, predicting hotter, drier summers and warmer, wetter winters.

Lord Deben, Chairman of the Committee on Climate Change, briefed the Committee in December 2013. That Committee was set up to advise the UK Government and the devolved Administrations on emissions targets. The main areas discussed were the measures being implemented by industry to combat change, the scientific evidence supporting climate change, and the work of the Committee on Climate Change.

The Committee also received updates on the work of the cross-departmental working group on climate change. The updates reflect on the work that has been achieved to date, including residential energy efficiency and fuel poverty schemes; ambitious household waste recycling targets; and the increasing use of low-carbon fuels, such as renewables and gas. However, more work is required. That is why the Committee is calling on the Minister, along with his Executive colleagues, to increase existing efforts and to consider innovative approaches to help to reduce emissions and move to a low-carbon economy.

As previously mentioned, the residential sector has been identified as one of the largest sources of emissions. Throughout the mandate, the Committee has explored alternative approaches to managing waste, which, it recognises, contributes to greenhouse-gas emissions. The Committee has been briefed on the environmental and economic benefits of a circular economy. Last year, the Committee also visited the VITO research facility in Belgium and the Metabolon project in Germany, where Members saw at first hand how waste was refined and reused rather than simply recycled. Those are examples of approaches that could be considered further to reduce waste that ends at landfill and, consequently, to reduce emissions.

Reducing emissions and adapting to the impacts of climate change provide the opportunity to drive innovation, support growth, develop effective and resilient infrastructure,

and minimise the disruption caused by flooding, water scarcity and other climate-change risks. The Minister's attendance at the conference is a positive and important step, as it will ensure that the views of Northern Ireland on climate change are expressed at the conference. I hope that the views put forward in this evening's debate will help to inform the Minister's input to the conference. The Committee looks forward to receiving an update from the Minister's officials on the outcome of the conference and to hearing more from the Minister regarding his discussion paper on proposals for Northern Ireland climate change legislation later in the debate.

Due to the timing of the decision to select amendments, the Committee did not have an opportunity to discuss Mr Agnew's amendment; however, I am sure that Members will reflect on it in their contributions. That concludes my remarks as Chairperson of the Committee for the Environment. I would like to say a few words in my remaining time on behalf of the Alliance Party.

Climate change is here; there is no denying it. Overwhelming scientific evidence shows that global warming is man-made. In the past year, the Met Office has seen a 1°C increase in global temperature. Given that a 2°C increase is the maximum that we can tolerate without disastrous consequences, that is worrying.

### 7.30 pm

Western industrial countries are the biggest polluters, yet it is the poorest countries that will face the greatest harm. It is not just humans who are at risk; this is upsetting the entire ecosystem of the planet. We see the effects in the form of extreme weather and the loss of biodiversity as species lose their habitats. I was at the very well-attended climate change rally in Belfast yesterday, where we heard many people expressing their concerns. Among them, a farmer spoke of soil erosion; because of climate change, he is gradually losing his land.

I want to see a Climate Change Act in line with the rest of the UK, with legally binding targets to reduce greenhouse gas emissions. I welcome the Minister's intention to bring forward a discussion paper on the introduction of a Northern Ireland climate change Bill. We must not allow our greed to stop us from keeping the planet healthy so that future generations may enjoy what we have taken for granted. We must act now.

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

*Leave out all after "colleagues;" and insert*

*"to introduce a Climate Bill for Northern Ireland that includes legally binding, long-term and interim targets on the reduction of greenhouse gas emissions."*

I rise to compel the House to support the introduction of a climate change Bill. As the Committee Chairperson mentioned, world leaders will gather in Paris over the next two weeks to discuss climate change and seek agreement on international efforts to keep temperature rises below two degrees Celsius globally, the commonly-agreed point at which climate change becomes dangerous climate change. I am delighted that our Environment Minister will be there, and it is important that Northern Ireland plays its part. We have to take our responsibility seriously as, in international terms, a wealthy nation.

I remind the House that in February 2014 we agreed that we needed to pass a climate Bill. I ask the House not to row back on that call to the Executive to bring forward legislation specific to Northern Ireland. While we are committed under the UK Climate Change Act 2008 we have no specific Northern Ireland targets that are legally binding. The question I have to ask the Minister — and I do not aim it at him personally, but as the representative of the Executive in the debate — is this: what has been done since that debate and what action has been taken? This will be discussed over the forthcoming weeks; it is an urgent situation.

Climate change has been discussed for decades now, but with each passing year the situation becomes more grave. As Lord Stern pointed out in 2006:

*"the costs will increase the longer appropriate action is delayed, to the point where the costs of inaction are potentially catastrophic".*

He made the point then, and it persists today, that the sooner we act, the less costly it will be, both in human and financial terms. Each year that the Assembly delays in taking action and in bringing forward a climate Bill, we increase the inevitable costs that we will face as a result of climate change.

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

**Mr Agnew:** Now that we no longer have the former Member for East Antrim, I thought that I might get through this speech without an interjection. I hope that the Member is not going to be another climate denier from East Antrim, but I am willing to give way.

**Mr Lyons:** I thank the Member for giving way. Sammy Wilson may be in another place now but I know that his views on this have not changed. I welcome the debate and it is good to see the Member here. Who knows; he might be going to Paris himself. I would not be surprised if I found him dressed up as a polar bear standing on a plastic iceberg protesting with a lot of other people.

I will return to what the Member has just said. Does he agree that there can be an awful lot of scaremongering at the same time, which does not do any benefit to any side of this argument?

I refer him to a news article from 2007 that said that arctic summers would be ice-free by 2013. Do you not think that that kind of scaremongering does not do anything good for the debate?

**Mr Agnew:** I thank the Member for his intervention, and, all along, I have recommended that all Members take on board scientific evidence and the views of the Intergovernmental Panel on Climate Change, which presents peer-reviewed science. Whilst individuals may make claims, there is that collective consensus, which has been around 1990 and, indeed, since 1896, when the first causal link was made between carbon and climate. There is that consensus, rather than some of the individual claims that may not bear out to be true. All of the claims that we would see more extreme weather, greater drought and greater flooding have been proven to be true.

When we discussed this motion previously, it was on the back of serious flooding in Northern Ireland and a call to action to mitigate the flooding that we experienced. This month, we have had storm Abigail, storm Barney and

storm Clodagh. It is undoubted that freak weather events, as they were once called, are increasingly becoming commonplace, and we are seeing the effects here in Northern Ireland. It is not just flooding that will impact on us. Increasing global food prices can result from changing climate, as farming in many parts of the world may no longer be sustainable. We will see environmental refugees having to move from land that was once fit for growing food crops and is no longer so due to increased drought or, indeed, flooding. We are starting to see some of the commentary on some of our global conflicts focus on the fact that reducing resources is starting to fuel some of those global conflicts. Again, climate change is leading to greater instability in the world.

This is often presented as an environmental issue, and, of course, it is, but, as I always say, the planet will survive. Life as we know it for humans and animals may not, but the planet itself will survive anything that we can do to it. The social justice element of this issue should not be lost in the House. It is unfortunate that those who have probably done least to cause climate change are those who will be affected most by its consequences. A briefing paper from Oxfam says:

*“Climate change threatens to put back the fight to eradicate [hunger] by decades”.*

It is often not environmental groups such as Friends of the Earth, the RSPB or Northern Ireland Environment Link that are making the loudest calls for action on climate change but our aid agencies, our Churches and or missionaries who are going out to Africa and developing nations elsewhere and are seeing the impacts of climate change on poverty, not in the future but today.

It is no longer something that we talk about that might happen. It is something that is happening, and, in Paris, our leaders will be seeking not to prevent climate change, because it is too late for that, but to mitigate its worst impacts and keep temperature rises below 2°C.

I have mentioned the social element and the environmental element, but there is, of course, an economic element. I come back to Lord Stern's report. He was very clear that the benefits of strong, early action on climate change outweigh the costs. We need legislation so that we can have some certainty on our policy direction. Approximately 35,000 jobs in Northern Ireland are in the low-carbon and environmental services sector, and we have seen recently, with the debacle around renewable energy subsidies, that 10,000 jobs could be at risk in that sector due to our inability to agree a way forward on subsidising renewable energy. I know that people will point to the costs, but I will come to evidence. The IMF has estimated that, globally, subsidies for fossil fuels are at \$5.3 trillion, despite the evidence that they are one of the number one causes of climate change. If we look at Northern Ireland alone, we see that the new gas power plant at Ballylumford put 1% on bills. We have a target of 100% Housing Executive homes on gas. At the same time, other nations are committing to a fossil-free future. We are still subsidising fossil fuels and, at the same time, withdrawing subsidies for renewables. We are going in the opposite direction of many other countries.

So, we have the evidence. We need to move on from the somewhat facile debate about whether climate change is happening or whether it is caused by human activity. We

need to act quickly, and we need to act now. We need a Northern Ireland climate Act.

**Mr Irwin:** As a recently appointed member of the Environment Committee and as someone who has a lifelong background in agriculture, this is an area of interest to me, especially given the fact that, according to data, agricultural activity accounts for some 29% of emissions of greenhouse gases in Northern Ireland. At times, action to reduce greenhouse gases has been an amusing debate in agriculture circles. Everyone is familiar with the fragrant smells of the farm wafting over our countryside.

As a dairy farmer, I know that there is a particular focus on the output of methane from cows in milk production, and statistics reveal dairy production to be a key contributor to greenhouse gases. There is a saying that what goes in must come out. That is more than applicable in this instance. However, it is what happens inside the cow that is the main focus of our scientists at the Agri-Food and Biosciences Institute (AFBI). Indeed, I was somewhat amused to view photos of cows with backpacks attached to measure their methane output. That shows the in-depth approach taken in a bid to come up with ways to reduce the methane output from bovine sources.

What scientists are struggling with in regard to livestock is the fact that, in essence, they are trying to intervene in a natural process — the digestive system. That system has worked as nature intended since time began. The focus of the scientists has been the make-up of the feed used in production and how that contributes to methane levels released. The difficulties with the various tests that have been conducted point to the cost of the various food additives or replacement elements that have been utilised in tests that seek to reduce gas content in the feed. Reports have stated that whilst additives have reduced recordable methane levels from the cow's mouth, the cost of the additives are a prohibitive factor. There is also the added cost of the carbon footprint in the production and transportation of those feed additives were they to become commonly used. So, we have a catch-22 situation in that regard.

The fact that we are discussing greenhouse gases and carbon footprints in agriculture signals a level of thought and importance that has been given to all aspects of production, be that food or any other manufacturing process. As far as agriculture is concerned, the fact that cows have been the subject of methane studies and the fact that agrifood production has been steadily moving away from small individual operators producing a small amount of product to a much larger industrialised operation has moved agriculture into a major contributor to greenhouse gas emissions.

In closing, one major concern that I have about targets set is the potential for added strain and cost on the farmer. With farmers already complying with extremely stringent legislation on animal traceability, by-product control, nitrates and a plethora of other directives, I fear that there may be further demands placed on our agrifood industry to go further with potentially costly measures to further reduce greenhouse gas emissions.

Getting back to my original point about what goes in must come out, I plead for a level of common sense, especially with regard to agrifood production, and not to increase the burden on our farming industry unrealistically.

Farmers are not afraid to play their part. Indeed, they already play a vital role across the globe in conserving and maintaining millions of acres of land. The motion points to an innovative approach to reducing emissions, and it is important that such approaches are indeed innovative and, critically, must be available and workable in the real world.

#### 7.45 pm

Just a couple of years ago, we had some very bad weather, and I read a report that it was due to global warming. Indeed, another paper article said that it was the worst weather for over 100 years. So much for global warming. We were told that we had the worst weather due to global warming and, on the other hand, it was the worst weather for 100 years.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar an rúin agus ar son an leasaithe. I rise to speak in favour of the motion and the amendment. I welcome the motion from the Chair of the Committee and from the Committee. I also welcome the attendance of the Minister to respond to the debate and the fact that he and the Taoiseach are heading to Paris. In fact, the Taoiseach is at the convention in Paris today and has already committed to introducing legislation on this matter when he comes back.

This week will see the twenty-first meeting of the conference of parties under the United Nations framework on climate change, or COP21 as it is more commonly known, when 195 nations will gather in Paris to further their commitment to limiting the future effects of climate change. They will bring with them their own ambitions, targets and plans to help limit the growth of emissions, and rightly so. Climate change is one the greatest challenges facing modern society. We have witnessed unpredictable weather catastrophes, from freak floods to record-breaking heatwaves. We have witnessed a rise in our sea levels and have watched as the area covered by the Arctic sea ice has become smaller and the ice thinner. With global average temperatures on land and sea rising, you could argue that, as a collective unit across the globe, we have been slow in coming to an agreement.

Closer to home, in May this year, the cross-departmental working group on climate change submitted its fourth annual progress report to the Executive on the performance of each Department in implementing the agreed greenhouse gas emissions reduction action plan. The action plan supports the achievement of the Programme for Government target to continue to work towards a reduction in greenhouse gas emissions of at least 35% on the 1990 levels by 2025. Many would say that that goal is not ambitious enough, but, at the very least, we must achieve it and, if at all possible, exceed it. However, current projections tell us that we are likely to achieve only a 33.3% reduction by 2025, which means that our interventions to date have not been enough and that we must do better.

I want to refer a few things back to the Minister. In 2013, the previous Minister initiated a consultation to seek views on the need for a climate change Bill and on potential elements including statutory targets to reduce greenhouse gases, the creation of a new independent climate change committee and the introduction of new statutory duties for public authorities to promote and report on actions to

reduce emissions and adaptation measures. Maybe you would like to respond on where we are with that.

I have only a minute and a half left, and I want to pick up on some points that we could maybe look at in addressing some of the issues. The main contributors, as some Members have mentioned, have been transport, agriculture and carbon dioxide emissions. There are many interventions that we can carry out. It is about housekeeping practices and looking after your own homes in relation to some of the things we can actually do. In waste management, we could eliminate food waste from going into landfill and incineration sites across the North. Then there is the kerbside waste collection, which involves plastics, bottles and cardboard. Minister, maybe you would like to respond to that. It is strange that we have a system here in the North of two or three collection types right across the councils. A small start would be to get all the councils to go some way to carry out the same practices, instead of a kerbside collection in one council area and a blue bin system in another area, with contaminated waste going into them. Those are simple things that we could try.

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

**Mr Boylan:** We need to incentivise people in relation to transport and encourage the public sector, including councils, to purchase and use electric vehicles.

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

**Mr A Maginness:** I thank the Chairperson of the Environment Committee for bringing this motion to the House. Obviously, it is a timely motion. One that will be helpful to the whole House, the Executive, which will be represented in Paris by the Minister, and in dealing with climate change as it relates to our situation locally.

There were rallies yesterday throughout the world to highlight this issue, including one in Belfast. Canon Michael Parker of St Anne's Cathedral, Belfast, said that there was a:

*"moral obligation to care for the world and all of its people".*

That reflects very much the view of other churchmen, for example Pope Francis, who has put the environment at the very top of the agenda in dealing with not simply an environmental issue but, as Mr Agnew said, an issue of social justice. This is not just a scientific issue. This is an issue of social justice as well as a political issue because, if our climate deteriorates and our world overheats, as it were, the consequences for the poorer people in the world will be disproportionately devastating. Of course, we in the West will suffer as well, as we are suffering at the moment because of the effects of industrialisation since the middle of the 19th century. We have got to address this issue and do it locally.

**Mr B McCrea:** Will the Member give way?

**Mr A Maginness:** Yes, I will.

**Mr B McCrea:** I know the point that he is making about those most vulnerable, but climate change is catastrophic. I do not think that people have got their head around the fact that it is not just Pakistan that it is going to affect; it is us as well. We really do have to do something and do something urgently.



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

**Mr A Maginness:** The Member reinforces the point that I was perhaps inadequately trying to make. Certainly, our whole world will be affected. We are custodians of the earth. We do not own the earth. We have to hand that earth over to other generations, so we must look after what we have been given.

I commend the Minister for going to Paris. Some may say, "What's the point of a Minister from here going to Paris? Sure, he'll have no effect." It is important for us to send out a strong message that we are interested and concerned, that we are part of the UK and part of Ireland, we are part of Europe and part of the world, and we want to make our contribution. It is very important that the Minister does that.

He has a strong and very clear belief that there should be climate change legislation. Unfortunately, we do not have the political consensus in this Chamber, the Executive and society at large to bring forward climate change legislation. However, we have to do it. We cannot squander time in speculating whether there are ill consequences as a result of climate change. Climate change is here. It is a scientific fact, proven in the international community. We have to wake up to the realities of that and take action.

I support the Minister in his laudatory aim of bringing climate change legislation to the Executive and to the Chamber. I hope that that can make a difference — it must make a difference. The consultation process must continue, but we must also see an emergence of political consensus. That will not happen in this mandate, but it can be realised in the next one. It is not a pipe dream; it is right and proper. We must cooperate with colleagues in the rest of the UK and Ireland because it affects our geography. It affects our two islands so intimately and is so important that we have common measures to deal with all the problems that we are faced with and will be faced with in the near future.

I look forward to further political developments on these issues. It is important that we support the Minister and other colleagues. We must build a very firm consensus. I believe that the Environment Committee has done good work and will continue to do so, showing leadership to the political community here.

**Mrs Overend:** I am grateful for the opportunity to speak on the motion. The Ulster Unionist Party recognises the need to address the threat of climate change. It goes without saying that this generation should have a moral obligation to pass the earth to the next generation in as good a condition or better as when we received it.

We very much hope that the aspiration of the Paris talks to deliver the first ever truly global deal to tackle climate change is realised. However, we recognise that creating consensus on the issue is extremely difficult, as was evident from the previous United Nations Climate Change Conference in Copenhagen in 2009. Some 20,000 people are due to attend the Paris conference. Among them will be 140 global leaders, including Barack Obama, Vladimir Putin and David Cameron. It is to be encouraged that the Environment Minister will also be in attendance to represent Northern Ireland.

The challenge of tackling climate change is no less formidable now than it was five years ago. The Ulster

Unionist Party is fully committed to reducing our emission levels in line with the United Kingdom's commitments to reduce greenhouse gas emissions by 80% from 1990 levels by 2050 and to reduce our carbon footprint consistently.

During Danny Kennedy's tenure as Regional Development Minister, he did his utmost to reduce emissions by making public transport more attractive. Indeed, the Belfast rapid transport system, which Mr Kennedy worked on for a long time, is introducing vehicles that utilise some of the latest hybrid technology, with lower noise vibration and, indeed, pollutants. He was rightly acknowledged for leading the cycling revolution and taking steps to create a Northern Ireland where people have the freedom and confidence to travel by bicycle. However, it appears that, collectively, the Northern Ireland Executive are not doing all that they should to bring down emissions. The Executive are on course to miss the Government targets to reduce emissions by 35% from 1990 levels by 2025. I hope that this does not become another example of the Executive being unable to deliver.

From recent figures, we can see that, rather than the Executive taking real steps forward in reducing emissions, they are going backwards, with emissions increasing from 2011 to 2012 and remaining static in 2013. That is simply not good enough. I acknowledge Steven Agnew's amendment, which seeks to establish a Northern Ireland-specific climate Bill, but there is clearly a lack of agreement among the parties on the issue.

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

**Mrs Overend:** If you do not mind, I will continue. The levels of public consultation required in discussions with relevant stakeholders would take up a significant amount of time, so much so that it would be unachievable to establish such a Bill within the mandate. While it may not be an ideal scenario, Northern Ireland, as well as the other devolved Administrations, are covered by the UK Climate Change Act 2008, which established the world's first legally binding climate change targets. In the absence of specific Northern Ireland legislation, it is our party's view that all public bodies, including local government, should put in place carbon reduction strategies with accompanying targets to measure progress.

## 8.00 pm

It is clear that there is much more work to be done to lower emissions. That will involve innovative solutions. We should maximise the potential of our renewable sources by supporting advances in solar, biomass and hydro technologies, provided we do so in a way that is sensitive to local communities. The Ulster Unionist Party will continue to support steps to increase energy efficiency and, in line with UK targets, to substantially reduce greenhouse gas emissions in pursuit of a strong and sustainable environment for Northern Ireland.

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

**Mrs Overend:** I have just finished. Sorry.

**Mr Deputy Speaker (Mr Beggs):** I call Mr Paul Frew.

**Mr Frew:** Thank you, Mr Deputy Speaker. I was about to ask the Member for Mid Ulster whether the Ulster Unionist Party supports a climate Bill for Northern Ireland, but

I never got the chance. I will give way if she wishes to answer the question, but if not we will move on.

There is no doubt that the United Nations climate change conference is very important. It makes ambitious global plans to tackle the threat of climate change, and I welcome the Minister's attendance, not only to represent Northern Ireland but as part of the UK delegation. It is very useful, and it will stand him and the Assembly in good stead. There will be more than 190 countries in Paris to try and agree something that they have never been able to agree before. I will welcome any real progress, because countries can do more. Some of the greatest emitters in the world can do a lot more than they have done, especially over the last 25 years.

**Mr B McCrea:** Will the Member give way?

**Mr Frew:** Yes, I will.

**Mr B McCrea:** The Member issued a challenge to the Ulster Unionist Party, but I invite him to clarify his position. What I have heard so far is a lack of consensus. Does the Democratic Unionist Party accept that climate change is a problem, and will it take any actions necessary to address the problem?

**Mr Frew:** I thank the Member for his contribution. I can be very clear: we see this as a problem, and we see that things have to be done, but we cannot support a climate Bill for Northern Ireland. I will get to that later.

Most of the countries at the summit have never agreed, and probably will not agree, legally binding clauses or legislation. The US never ratified the Kyoto treaty from 1997. It is one of the top five emitters in the globe, and it will not ratify Kyoto.

**Mr Lyons:** I thank the Member for giving way. Just for his information, the United States and Canada have both said already that they will not commit to any legally binding targets.

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

**Mr Frew:** I thank the Member for that contribution.

India and Saudi Arabia — for different reasons, of course — are only two of the countries trying to water down the rules to keep on using fossil fuels. Of course, Canada has withdrawn completely from the Kyoto protocol. China will even resist any transparency that the UK might try and place in an agreement, even a voluntary agreement. We are therefore faced with a difficult position. However, it is a global problem. While I can certainly support the motion and the intentions behind it, I cannot support the amendment, because one thing that we cannot do in Northern Ireland is tie the hands of our farming community and of our business community, which exports and uses transport, and of this region of the UK generally. The UK passed the Climate Change Act 2008, and we are part of that. Look at Northern Ireland's record on this.

The International Energy Agency, a think tank, estimates that 13·5% of the world's primary energy supply was produced from renewable sources in 2013.

That sounds like a pretty decent slice, but almost three quarters of that was from the burning of wood, dung and charcoal in the poorest countries. Wind turbines, solar farms, tidal barriers and geothermal power stations made

up just 1·3% between them, and that is globally. Little Northern Ireland produces 20% of its energy through wind. Northern Ireland is punching well above its weight when it comes to the fight against climate change. I plead with the Minister and the House to continue that good work and keep enticing and encouraging our businesses, councils and Departments to do more.

**Mr Agnew:** I thank the Member for giving way. Does he not agree that all of that has been put under threat with the withdrawal of subsidies for wind energy?

**Mr Frew:** No, it is not. How could it be under threat when we are already at 20%? How can you put under threat the 20% that we already generate? If we generate more, that would be great, but not at the cost of crippling our businesses or hurting our agricultural base. These are the people who will help propel Northern Ireland into a better place. Why would we tie their hands behind their back when China will not do what it is told on voluntary arrangements? In fact, China will balk against transparency, especially when India produces more cars and burns more fossil fuel. Why would you tie the hands of Northern Ireland's businesses? I plead with the Minister to encourage, cajole and incentivise but not to tie the hands —

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

**Mr Frew:** — of our businesses behind their back. You will hurt our families even more. We already have rules —

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

**Mr Frew:** — with regards to the Climate Change Act in the UK.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an díospóireacht seo. I welcome the debate and place on record my support for the amendment. We had tabled a similar amendment, but it was not selected as Mr Agnew's appears to be more comprehensive. The overall sentiment of seeking an ambitious climate change Bill was the same, so I am more than happy to support Mr Agnew's amendment.

I also want to take the opportunity to send my support and gratitude to all those who were involved in activism over the weekend to highlight the talks that are going on in Paris. Those people, more than the global leaders who will invariably take all the media attention over the week, deserve our thanks for raising the issue and making sure that it was the headline story on the news all day yesterday and for much of today. Climate change is the most important issue for this and future generations.

I heard one of the people interviewed on 'The RTÉ Nine o'clock News' last night quote a very simple phrase. The gentleman said:

*"We are the first generation to feel the effects of climate change and the last that will be able to do anything about it".*

It is very important for us to remember that.

For once, we have significant scientific evidence telling us what will happen if the temperature continues to increase, but we still have time to act. We do not have much time, but it is important that we take as many opportunities as we can to reduce any further increase in the temperature of the planet.

The first thing that we need to do is to move to reduce carbon emissions and introduce Government policies that reflect that requirement. Some Members of the House and some members of the community are open proponents of fracking, which is one of the biggest threats to tackling the serious issue of climate change. If we are serious about keeping the temperature of the planet lower, we need to stop going after fossil fuels, particularly those extracted by non-conventional and dangerous methods. We need to move away from fossil fuels; we do not need to look for more of them.

We also need to invest in energy efficiency. For the last five years, the Assembly and the Executive have missed the opportunity to invest tens of millions of pounds in retrofitting homes and businesses through the failure to implement the green new deal.

**Mr B McCrea:** Thank you for giving way. In exhorting people to invest, does the Member think that the Northern Ireland Executive should invest in the grid infrastructure so that we can bring more wind power online? What is his position on the interconnector with the South of Ireland?

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

**Mr Flanagan:** I thank the Member for his intervention. The Executive should not just invest in the grid; it is my view that the grid should be nationalised, because it effectively operates as a subsidised monopoly. Why should that happen? Why should private companies be allowed to profit from something that is run in the public interest? Instead of just investing in it, I would like to see it nationalised and run in the public interest.

With regard to the North/South interconnector, the Member is well aware of Sinn Féin's policy on it: we want to see it undergrounded, particularly through the A5/N2 project, as it makes sense to me that it should be done as part of that scheme. I do support infrastructural investment, but energy efficiency is one of the greatest tools that we have for reducing consumption, which is just as important as reducing overall usage of carbon emissions. It could be done very simply by investing in energy efficiency. Not only would that reduce emissions, it would also create thousands of local construction jobs and reduce the fuel bills of families here.

Moving away from local activism and towards a more global scheme, people like Pope Francis have shown great leadership on that issue at a global level. In my own constituency, Father Joseph McVeigh, with the support of Bishop Liam MacDaid, has established the Clogher Justice Peace and Integrity of Creation group, which counts campaigning and action to prevent climate change as one of its top priorities.

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

**Mr Flanagan:** I will, Paul; go ahead.

**Mr Girvan:** For a point of clarification, does the Member have any idea what the cross-section of the cable for that underground interconnector would be?

**Mr Flanagan:** I do, and I am happy to speak to you afterwards, Paul, but I have a minute and a half in a debate about climate change here, and I do not think that I should talk about the North/South interconnector.

That group has tackling climate change as one of its key priorities and now has the support of people from other denominations, including the Reverend Kenny Hall, who supports the work of the group and what it tries to achieve. The Church and our religious leaders have recognised the seriousness of the issue; so too have many scientists. It is now time that we as a political class grasp the seriousness of the issue and work to ensure that we address it.

I support the call for the Minister to bring forward a Bill. We hear a lot about how he has to get Executive support, but many Members have tabled questions to him and, in one previous answer, he indicated that he does not have support from Executive parties but that he would bring proposals to the Executive once he had concluded his considerations. I am keen to see what proposals he brought forward and whether his considerations were concluded.

A former Environment Minister who is constantly talked about when we talk about climate change, Mr Sammy Wilson, recently appeared on 'Inside Politics' on the BBC with Mr Agnew and, amazingly, described saving the world as a vanity project. I have never heard such nonsense. His views are clearly antiquated, and, fortunately, he represents a minority.

I do not think that some people have grasped the environmental and societal impacts of climate change —

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

**Mr Flanagan:** — and the fact that it will be felt much greater in areas of the world where poverty is much higher and where levels of prosperity and affluence are not as high as here. We have a responsibility to other citizens in the globe, not just to those who live here.

**Ms Hanna:** I thank the Member for bringing the debate and clarifying our minds on it. I think that we are agreed that climate change is the biggest challenge facing this generation and the world today. It is not just about environmental issues; it is about poverty and global security. It is certainly welcome that the Minister is attending the summit next month. I know that since he first took up office he has worked to build the consensus that we need here for a climate Bill.

COP21 does have the ability to change how we deal with climate change. There are 160 countries coming together, representing 90% of emissions around the world and 90% of the world economy. The fact that they have already put proposals on the table is a change from business as usual. I remain optimistic, but the kind of transition that we need to a lower-carbon economy will take coordinated effort and binding targets. We certainly cannot expect developing countries to jump first.

The SDLP sees climate change as a global justice issue. It is a very current issue; it is not hypothetical. As others said, those who are least responsible are already on the front line of drought, flood and other extreme weather events that are making food security a massive issue and making food chains less predictable or secure. Extreme weather hits our screen around things like a cyclone in the Philippines and hurricane Sandy. The Member has left, but I do differentiate between weather and climate, as they are very different things and should be treated in different ways. Those shocks are reducing agricultural

yields, causing food price shocks and massively growing the hunger gap that many of the world's poorest people already experience.

**8.15 pm**

The Member on the Benches opposite mentioned climate change as scaremongering: it is not. We are ignoring the reality in front of us. I was with Concern in Bangladesh in 2010, and up to a fifth of that country is already, at times, underwater. Hundreds of thousands of climate refugees have nowhere else to go and are living a forced nomadic lifestyle to try and stay ahead of flooding and landbank erosion. Drought and hunger are exacerbating conflict in places such as the Horn of Africa. If we look at the conflict-driven Syrian refugee crisis, we can see that this is an interconnected world. We cannot close our eyes to these issues any more, and that is another reason why this is our problem. I think those —

**Mr B McCrea:** Will the Member give way?

**Ms Hanna:** I will.

**Mr B McCrea:** The Member has been talking about nations. I draw her attention to the plight of Pakistan, where one of the most densely populated areas in the world is under huge threat. Many countries are saying that a reduction of 2°C is too much and that we should be aiming at 1.5°C. Even if we were to get 2°C, it is by no means certain that that would fix the problem.

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

**Ms Hanna:** Fortunately, I think that the targets that have already been put on the table would probably produce 3°C, which is considerably higher than the 2°C we need. Even those who are not motivated to alleviate human suffering — and I am sure that everybody in the Chamber is — global security concerns mean that getting a deal in Paris has to be an absolute no-brainer.

So, these talks need to address simultaneously mitigation, reducing carbon emissions and the global temperature rise and helping people who are least able, and most vulnerable to climate shocks, to adapt. I worked in international development for 10 years before coming into the Assembly. The innovation, creativity and will are there, at low level and national level, for people to develop their economies in a more sustainable way. However, if you add up all the interventions on the table for adaptation, they come to something like \$3 per smallholding farmer in the world. That is not enough. There needs to be substantial financial support for that.

Every month and year of delay in tackling climate change is making it harder. As others have said, it really threatens to reduce all the progress that has been made. Around the world, people are wary that politicians do not have the vision and long-term thinking beyond their next election to make the really major infrastructure and mindset shifts on this. We have got to stop seeing decarbonisation —

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

**Ms Hanna:** I will not, because I am just going to finish up. We have got to stop seeing decarbonisation as a punishment and a threat. We have to start looking at the benefits it can bring to our lifestyles and economy. Hopefully, we in the Assembly, who are probably least

known for our vision and long-term thinking, can confound that view and come up with something binding here.

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

**Ms Hanna:** I will finish — if you want to, go on ahead, yes.

**Mr Frew:** I thank the Member for giving way. She has that extra minute. I hear what she is saying, appreciate all her arguments, and I am on the same page with a lot of them. However, can she tell the House how a climate Bill for Northern Ireland could make any inroads that we cannot make under the UK Climate Change Act 2008. The deal really has to be done in Paris, with the emitters that are doing most damage — the big five, 10 and 25. Northern Ireland generates 4% of the UK's emissions.

**Ms Hanna:** I have only 20 seconds, but I think that that discussion is being held. We need to have binding targets here. I will finish by quoting my favourite placard from the many I saw yesterday. It simply stated:

*"Blah, blah, blah, fix this now".*

We have to. We can have that conversation, and I am sure that the Minister will happily have it with you.

**Mr Deputy Speaker (Mr Beggs):** I call Jim Allister, and the Member will have four minutes of the remaining debate.

**Mr Allister:** Thank you, Mr Deputy Speaker. This debate could do with a bit of climate change itself. We are missing Mr Sammy Wilson to raise the temperature a bit, but there we are.

I have no issue with the fact that there is climate change. I have no issue with the fact that, as its custodians, we should seek not to damage the planet and pass it on in as good shape as we possibly can. However, I have a major issue with the cause of climate change. I do not swallow all this climate alarmism that it is all man-made. I believe the truth to be that climate change is cyclical. In the 16th and 17th centuries, there were winter ice-skating fairs on the River Thames. Before that, in the 11th century, we had the medieval warming period, when they grew grapes in Britain. Who are we going to blame for that? Was it due to the emissions that were belching out from the Industrial Revolution? I do not think so. In the 1st century, we are told, there were grapes grown in Britain at the time of the Romans. So, I hear talk about climate change deniers, but what about the history deniers who deny the fact that, cyclically, the climate has changed over the centuries and is doing the same again?

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

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

**Mr Allister:** No, I am sorry, I have not been given any extra time, so I will not.

Yet, puny man thinks that we will somehow, with our tiny little teaspoon, stop the inevitable cycle of climate change. It is vanity to have a motion like this, talking about the mighty things that we are going to do. Yes, you should not add to it, but the truth is that most of it is beyond your control. That is something that the climate change alarmists fail to face up to. That should be the starting point.

Then, we should recognise that some of the things that this motion would have us do, and what its supporters



would like to see come out of Paris, would inflict immense damage on some of the poorest countries in the world, which are dependent on fossil fuels to try to pick themselves off the floor — the Indias and the Chinas. Who are we in the West to say to them, “You shall not have the opportunity that we had to build an industrial society by using the fossil fuels that you have. It’s all right for us, but it’s not all right for you. You just live in your poverty.”? That is the grandiose message of some of this motion.

Then, of course, we think, “Ah well, we will have all sorts of wonderful targets, and we’ll feel so much the better for it.” Never mind the fact that, in setting those targets, we inflict upon our population unnecessary and huge energy costs. We go for the most expensive form of energy possible, namely wind energy, subsidise it to the hilt, expect the consumer to pay and then we say we are serving the interests of the community.

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

**Mr Allister:** We need a reality check, and this motion is taking us in the opposite direction.

**Mr Durkan (The Minister of the Environment):** I thank the Chairperson of the Environment Committee and the Committee itself for proposing this very timely debate on climate change, which corresponds with the opening day of the Conference of the Parties in Paris. I also thank Stephen Agnew for tabling his amendment to the motion, and I am grateful to all Members for their contributions to this very important debate.

As most Members pointed out in their contributions, the mounting evidence on the speed and impact of climate change is indisputable. The Intergovernmental Panel on Climate Change reports published last year set out the overwhelming scientific evidence that current climate change impacts are set to increase and will do so dramatically unless urgent action is taken to reduce global greenhouse gas emissions.

**Mr B McCrea:** Will the Minister give way?

**Mr Durkan:** I might come to you later, Basil.

The reports highlighted that climate change is set to inflict severe, widespread and irreversible impacts on people and the natural world unless carbon emissions are cut sharply and rapidly. The truth is that climate change presents the biggest worldwide challenge of our time. It presents the greatest risk to our health, environment and economies, and it will affect us all no matter where we live.

However, the gravest injustice is that climate change hits hardest the developing world, those who have done the least to cause it. I firmly believe that we have a moral responsibility to protect the poorest and most vulnerable groups and regions from the dangers of climate change, and it is critical that we take action now.

International efforts are necessary to ensure protection of humankind and our planet and to limit the increase in global average temperature to below 2°C, increases above which would lead to significant and dangerous climate impacts throughout the world.

At COP21, I will work closely with the UK Government, devolved Administrations and the Irish Government in supporting efforts to reach an ambitious and robust international agreement. In preparation for the conference,

countries have publicly outlined what post-2020 climate actions they intend to take under a new international agreement. Those contributions will largely determine whether the world achieves an ambitious agreement in Paris that puts us on a path towards a low-carbon, climate-resilient future.

In March this year, the 28 member states of the EU submitted their intended nationally determined contributions giving a commitment to an EU-binding target of at least a 40% domestic reduction in greenhouse gas emissions by 2030 compared with 1990. I fully endorse the EU’s climate change ambition set out in that approach and the meaningful contribution that it makes to a balanced global agreement in Paris. The COP in Paris and the proposed international agreement on contributions is the biggest of its kind to take place, gathering together the countries that are responsible for 86% of global emissions. This is about four times the amount of global emissions covered by the Kyoto protocol, the world’s first carbon-cutting treaty.

In Paris, I will be part of the UK delegation and therefore involved in discussions around the Secretary of State’s negotiation position. I will engage with other Environment Ministers and attend events that focus on how Governments at the devolved and regional level can take action to invest in sustainable economies that deliver the benefit of reduced emissions, job creation and security. It is also my intention to engage with representatives from charities such as Christian Aid, Trócaire and the Mary Robinson Foundation, some of whose good work has been mentioned today. My aim is to encourage and provide support for a comprehensive global agreement on climate change action that ensures that we fulfil our moral responsibility to protect the poorest and most vulnerable people and regions from the dangers of climate change.

I also firmly support objectives for any agreement at Paris that will secure additional funding from 2020 onwards. This funding is essential in order to help developing countries with their plans to mitigate and adapt to climate change. The international agreement must be supported by a comprehensive monitoring and reporting regime and enshrined in a legally binding agreement to ensure that countries abide by their commitments. If we achieve a successful outcome on the issue in Paris, we will offer those in poverty the opportunity to build for a sustainable future and mitigate the worst impacts of climate change.

At home, we must also play our part and make our contribution to reducing greenhouse gas emissions. As outlined in the Committee’s motion, the current projected reduction of greenhouse gas emissions for the North is 33·3% by 2025, based on 1990 levels, and falls just short of the PFG target of 35%. Mr Agnew, rightly in my opinion, asked what had been done since the debate last year that — unexpectedly, I suppose — gave me a mandate to pursue climate change legislation through the Executive. Mr Flanagan asked something similar. While I was given a mandate, what was demonstrated that day and again today is that there is no consensus on the issue. I have been working to build consensus and to build momentum for climate change legislation. While some parties and Departments are still reluctant, it is them and not us who are the King Canutes here. They are standing against a growing tide of scientific and public opinion.

**Mr B McCrea:** Will the Minister give way?

**Mr Durkan:** I will try to get you in later. I have a lot to get through. I am not trying to freeze you out.

I will continue to work across all Departments to examine and report on emissions reduction performance both within Departments and through partnership working across Departments and with other stakeholders. I will also continue to encourage, identify and promote current and new actions to reduce emissions and to monitor their effectiveness. The motion calls on me, with Executive colleagues, to step up efforts and consider innovative approaches to help reduce emissions and move to a low-carbon economy. To date, we have developed mitigation and adaptation plans and annual reporting mechanisms to the Executive. There is no doubt that we are making progress.

### 8.30 pm

Our energy sector has significantly reduced its emissions from electricity generation, while our renewables sector has expanded its contribution to our energy demand. Our agriculture sector has been working hard to reduce carbon inputs in its production, thus helping its promotion in global markets. Mr Irwin expressed concerns about potential costs for the agriculture sector: it is important that we look at the work that has been done in other jurisdictions, particularly the South, which has a similar reliance on agriculture for its economy. Through work on carbon-intensity indicators, there has been no negative impact on productivity. While their Origin Green policy drives it forward, our orange and green politics hold us back. Mr Boylan referred to the transport sector. It has seen the development of an e-car infrastructure. The infrastructure is there, and people are slowly but surely switching on to the merits of electric vehicles.

In my Department, I have agreed voluntary prosperity agreements with several companies, through which the NIEA and an organisation or business can explore innovative approaches to reducing environmental impacts in ways that create prosperity and well-being. Those who have signed up to the agreements are already seeing the benefits to the planet and, importantly, to their pockets.

The message is also being brought to future generations. I am proud to say that Northern Ireland is the first place in the world to achieve 100% Eco-School status. We are creating little eco-warriors in every school across the North.

We have reduced the amount of waste going to landfill, increased recycling and supported innovative projects that match my desire to work towards zero waste and a circular economy. Mr Boylan referred to disparities across councils when it came to recycling policies. That is something that I am acutely aware of. I have made no secret of my preference to move towards a single waste authority and the implementation of uniformity across councils. The simpler we make recycling, the easier it will be for people to do and the more successful it will be. The Member also referred to an increase in the incidence of severe weather, as did others, although I have not seen many of the heatwaves that Cathal referred to.

While current projections indicate that we are close to the target of a 35% reduction in greenhouse gas emissions by 2025, its achievement remains challenging. There remains considerable uncertainty due to the range of variables, policies and issues that have the potential to lead to a slowdown in the rate of reduction or even to an increase

in emissions. That could be anything from a cold winter, the rate of economic growth or a change in government policy. One such example is the recent DETI proposal on the closure of the Northern Ireland renewables obligations (NIRO) for onshore wind development. It is estimated that the closure could result in energy from renewable resources making up only 30% of the required demand by 2020 and not the 40% indicated in the strategic energy framework. That could have a significant adverse effect on the future projected performance against the PFG target for greenhouse gas emission reduction.

It is incumbent on government to show leadership and to act as a driver for action. That is why I am fully committed to ensuring that the North plays its full part in minimising emissions. I have strenuously supported having our own climate change legislation, which would provide clarity and the long-term certainty that business and industry need. It would create the environment to drive and encourage innovation, to plan effectively in the technology needed and to generate employment as we make the transition to a low-carbon economy and a more sustainable and just society. In doing so, we could deliver my vision of a better environment and a stronger economy. Most importantly, we must deliver for our people, from how we deliver our services as a Government to the support that we provide to business. They must see the benefits of attracting business and industry in the jobs that they deliver and in how, together, through efficiency, planning and innovation, we can deliver a better environment for all.

I want to pick up on some of the points that were raised, while I have a wee minute.

Paul Frew wondered whether agreement was possible at Paris. I seem to remember his party saying that agreement would not be possible at Stormont House unless certain conditions were met. They were not met, but there was agreement. Without seeing a climate change Bill for Northern Ireland, he has said that the DUP will not support a climate change Bill for Northern Ireland. It seems as though the DUP is doing a Meatloaf song: "We would do anything to stop climate change, but we won't do that."

Phil Flanagan made a very pertinent point on the wasted opportunity that was the green new deal. He referred, as did Alban Maginness, to the leadership that was shown by the Churches. Recently, I met Church leaders from across the island. He would be interested to learn about the deliberations that I have had in progressing legislation. I think that he would also be very interested to learn which Ministers resistance is coming from.

I see Northern Ireland climate change legislation as part of a strategy in achieving my aim. That is why I have issued a discussion document to stakeholders that outlines my thoughts on climate change legislation and seeks their support for the introduction of a climate change Bill in the next Assembly term. My discussion document seeks the views of stakeholders on a range of proposals that I would like to see included in a future Northern Ireland climate change Bill. These include ensuring that we contribute to the reduction of greenhouse gas emissions by the setting of a long-term target; providing powers to set interim targets that would assist in evaluating progress being made to the long-term target while ensuring that we remain competitive in a global economic market; and providing powers to establish an independent climate change advisory body.

In parallel with this exercise, at my request, the Committee on Climate Change is working on an update on its 2011 report 'The Appropriateness of a Northern Ireland Climate Change Act'. That update is expected to be published next month. I believe that the outcome of my discussion document on proposals for taking forward our own climate change legislation and the update from the Committee on Climate Change on the appropriateness of a Northern Ireland climate change Act, along with the outcome of the climate change conference in Paris, will ensure that we are well placed to make a climate change Bill central to the work programme of the new Department of Agriculture, Environment and Rural Affairs. I will also endeavour — I look forward to support — to ensure that the passage of this vital legislation is central to the next Programme for Government.

**Mr Agnew:** What if it is all a hoax and we make the world a better place for nothing? What if we insulate our housing stock and prevent the atrocity that is more people dying in Northern Ireland due to winter-related deaths than in Finland, where temperatures are much colder? What if we switch from pollutant fossil fuels and reduce the 500 deaths a year in Northern Ireland due to air pollution? What if we cut congestion? What if we did all those things and climate change is, as Mr Allister would suggest, something that we could not affect?

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

**Mr Agnew:** I will give way very quickly.

**Mr Frew:** What if Northern Ireland had the second most expensive energy costs in Europe? What if we lost thousands of jobs because of that fact? What if you put thousands of people into poverty overnight because they lose their job?

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

**Mr Agnew:** What if we did not have a DUP energy Minister?

The Member made arguments about tying people's hands, the threat of legislation and the danger of going down that road. He suggested that we were already on the right trajectory. I am sorry to the Member, but if his view of the right trajectory is scrapping the green new deal to insulate people's homes and tackle fuel poverty, and switching instead to a subsidy for the gas industry and withdrawing subsidies from renewables, which are not a threat to farmers — in fact, the Ulster Farmers' Union is legally challenging that — it is not a view that I share. Instead of subsidising clean, green, renewable energy, we provide £32 million for gas to the west and subsidise a gas power station at Ballylumford that puts 1% on every energy bill, including the large energy users that the Member is a great defender of. We are subsidising that at the same time as withdrawing subsidies for renewables. We still have a target of 100% of Housing Executive homes being heated by gas while the rest of the world is coming to the conclusion that we need a future that is fossil-free.

**Mr B McCrea:** Will the Member give way?

**Mr Agnew:** The Member did not get an opportunity to speak, so I will give way.

**Mr B McCrea:** Thank you; I will be brief. I ask the Member in his summation to address the two counterarguments in the

debate. The first was from Paul Frew, who said that there is climate change but that Northern Ireland is too small to do anything about it and that the issue is for China and India. The second argument — climate change probably happens but is cyclical, and we cannot do anything about it — was put forward by Mr Allister in the face of overwhelming scientific evidence that it is man-made.

**Mr Agnew:** Mr Allister's point that climate change is somehow cyclical, that that has not been taken account of by the greatest scientists around the globe and that this would be news to 97% of the Intergovernmental Panel on Climate Change is up there with the people who told me, when we had the volcano eruptions, that volcanoes were causing climate change. The IPCC is well aware of volcanoes and cyclical climate change; the evidence is about human-caused climate change. That is what we are talking about and is what we need to tackle.

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

**Mr Agnew:** I cannot give way any further because of time constraints.

Mr Allister made a point that world poverty would somehow be increased because we are going to prevent poorer nations from developing. I will give him the benefit of the doubt and put it down to ignorance rather than deception, because the very central point of the Paris talks is about contraction and convergence: we meet those poorer countries halfway, reduce our emissions and allow them to increase theirs so that we have equity across the globe to tackle poverty and ensure that the developing world, which has suffered as a result of our lifestyle, does not continue to do so and that we have fair distribution.

On the point that we, as a small country or region, cannot or should not act, I say that we must act. Indeed, we must give certainty to investors who want to invest in renewable and low-carbon technologies that this is the trajectory and that this region and this Government are committed to taking action on climate change. In response to Mr Wilson: I am so vain; I do think that climate change is about me. I think that it is about you and about all of us, and we need to act now.

**Mrs Cameron (The Deputy Chairperson of the Committee for the Environment):** I welcome the opportunity to conclude the debate on the Environment Committee's behalf. I thank everyone for contributing to the debate this evening. There is no doubt that the subject of climate change generates passion, emotion and debate, which has been demonstrated by many of you.

Before I make my winding-up speech, I reiterate the need for the Executive to work together to develop further innovative approaches. This evening, many of you reflected on the need for a climate change Bill, and the House will shortly decide whether it wishes to accept Mr Agnew's amendment calling for such a Bill. Outside of that, however, there are many innovative approaches that the Executive can adopt to reduce our greenhouse gas emissions further.

As the Chair outlined in her opening remarks, the largest source of emissions in Northern Ireland comes from agriculture, transport, energy supply and the residential sector. No Department can work in isolation to tackle this issue.

A cross-departmental working group on climate change is certainly a start, but, given the uncertainty over whether

Northern Ireland will achieve its 35% reduction of emissions by 2025, we should refocus our efforts and work together to become innovators and leaders in developing approaches to achieve this target. The Committee saw one such example of innovation a few weeks ago during a visit to a recycling centre which is part of a social enterprise. It offers an innovative approach to reuse recycled materials, which generates both environmental and economic benefits. It certainly provided members with food for thought.

#### 8.45 pm

I will now refer to Members' contributions. Anna Lo, speaking on behalf of the Alliance Party, talked about a 1% increase in global temperature according to the Met Office. She talked about the poorest countries facing the greatest harm, the upset to the entire ecosystem and the loss of biodiversity and habitat. She referred to her discussion with — sorry, I cannot make out the rest of that. She wants to see a climate change Act.

Mr Steven Agnew, who proposed the amendment, was delighted that the Minister would be at the conference. As he said, we have to take on our responsibilities and to do that seriously. He said that we have no specific legally binding targets in Northern Ireland. He said that this is an urgent situation that becomes more urgent with each year. He said that the sooner we act, the less costly it will be in human and financial terms. In response to an intervention, he said that he would accept the evidence and views of international scientists. When this motion was discussed previously, it was on the back of incidents of flooding, and increasing global food prices may make farming in some parts of the world unsustainable. Climate change leads to greater instability in the world, he said, and it is unfortunate that those who have done least to cause climate change will be the most affected by it. He said that what we are seeking to do in Paris is not to stop climate change but to deal with its worst effects. He also said that 10,000 jobs could be at risk in the renewable energy sector and that we are still subsidising fossil fuels.

William Irwin spoke next, and, from an agricultural background, he said that agricultural activity accounts for 29% of emissions produced in Northern Ireland. He said that scientists are taking an in-depth approach to reduce methane emissions from cattle by changing the make-up of feed. He said that the fact that we are discussing greenhouse gases in agriculture shows the attention that is given to all aspects of production. He talked about the farmer already having to deal with restrictions and the farmer playing a vital part in protecting the land. He called for a level of common sense and not to overly burden farmers, and said that solutions and approaches should be workable in the real world. He concluded by saying that we had had the worst weather in 100 years and asked whether that was global warming.

The next Member to speak was Cathal Boylan, and he spoke in favour of the motion and the amendment. He said that climate change is one of the greatest challenges facing modern society. He said that we must attempt to meet or exceed the Programme for Government targets for emissions. He talked about transport and agriculture being the main contributors and of how we can prevent food waste from going to landfill. He said that we need to look at all councils introducing a kerbside collection system.

Alban Maginness spoke next, and he welcomed the motion. He said that there is a moral obligation to care for the world and all of its people. He spoke about Pope Francis and the fact that he had put this to the top of the agenda, and that it is not just an environmental issue but a social issue. He said that we need to address the issue globally and that we must look after the earth. He commended the Minister for going to Paris to send out a strong message that we are part of the world and that we want to make our contribution. He commended the Minister for bringing forward climate change legislation and said that we must cooperate with colleagues in the UK and Ireland. He spoke of its effect on us all.

Next we had Sandra Overend, and she spoke about creating consensus and how difficult that is. She also said that when Danny Kennedy was the Regional Development Minister he did his utmost to reduce emissions. Sandra spoke about the Executive being on course to miss targets for emissions and said that there is clearly a lack of agreement on climate change. She said that Northern Ireland is covered by the UK Climate Change Act and that there is much more work to be done.

Paul Frew spoke next and asked whether the Ulster Unionist Party supports a climate change Bill. He welcomed the Minister's attendance at the conference as part of a UK delegation. He said that he would welcome real progress at the conference, as countries have responsibilities. He said that he sees climate change as a problem but cannot support a climate change Bill. He spoke about the USA never ratifying the Kyoto agreement and about China resisting any transparency in agreements. He said that he could support the motion but not the amendment. His concern was that we do not tie the hands of farmers and businesses when the UK already has a Climate Change Act, and we are already part of that.

Phil Flanagan spoke on behalf of Sinn Féin and said that it had a similar amendment, which was not accepted. He spoke about climate change being a most important issue for this generation and for those who will follow. He said that there was significant evidence that we still have time to act, and he talked about the need to reduce emissions. He spoke of concerns about fracking and fossil fuels and said that the Assembly had missed the opportunity to invest in the green new deal. He supported structural investment and said that, on a global level, Pope Francis had shown leadership, and that Churches and religious orders had recognised the seriousness of climate change. He welcomed the intention to introduce a Bill.

Speaking next, Claire Hanna said that climate change is the biggest issue facing the world and that we can change how we deal with it. She spoke about the transition to a lower carbon economy taking time and said that we cannot expect the poorest countries to move first. She also said that up to one fifth of Bangladesh already suffers flooding due to climate change and that this is an interconnected world. She said that the targets currently on the table would produce a 3% reduction, which is higher than we need. She talked about the need to help the most vulnerable to adapt and said that every delay in tackling climate change makes it more difficult.

Next, we had Jim Allister, who said that he had no issue with the fact that there is climate change and that we should put the world in the best shape possible. He believes that climate change is cyclical and natural and



that most of it is beyond your control. He said that the actions called for would inflict the most damage on the poorest countries and prevent them building a modern economy using their fossil fuels.

The Minister was next, and he thanked the Committee for the motion and Steven Agnew for his amendment. He said that there was overwhelming evidence that climate change is increasing and that it hits the developing world hardest. He said that it is critical that we take action now and that we engage with other Environment Ministers and charities to encourage comprehensive global agreement.

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

**Mrs Cameron:** I will not get through all the contributions. In conclusion, I would like to wish the Minister well at this week's conference in Paris. The Committee looks forward to hearing the outcome from his officials in the new year.

*Question put, That the amendment be made.*

*The Assembly divided:*

Ayes 46; Noes 43.

## AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Ms Hanna, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.

*Tellers for the Ayes: Mr Agnew and Mr B McCrea.*

## NOES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Lyons, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr Middleton, Lord Morrow, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

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

*Question accordingly agreed to.*

**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 that we can dispense with the three minutes and move straight to the division.

*Main Question, as amended, put.*

*The Assembly divided:*

Ayes 46; Noes 42.

## AYES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Ms Hanna, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.

*Tellers for the Ayes: Ms Lo and Mr A Maginness.*

## NOES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Lyons, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr Middleton, Lord Morrow, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir.

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

*Main Question, as amended, accordingly agreed to.*

*Resolved:*

*That this Assembly notes that the 2015 United Nations Climate Change Conference is taking place in Paris from 30 November to 11 December; considers that this is an opportunity to agree an ambitious global plan to tackle the threat of climate change; welcomes the Minister of the Environment's attendance at this conference to represent Northern Ireland; further notes that the projected reduction of greenhouse gas emissions of 33.3% by 2025, based on 1990 levels, falls just short of the Programme for Government target of 35%; and calls on the Minister of the Environment to work with his Executive colleagues to introduce a Climate Bill for Northern Ireland that includes legally binding, long-term and interim targets on the reduction of greenhouse gas emissions.*

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. I want to draw to your attention that, once again, I was the only Member who had his name down to speak who was not —

**Mr Weir:** No, that is not right. There were at least three.

**Mr B McCrea:** Sorry, my misunderstanding, Mr Deputy Speaker.

**Mr Deputy Speaker (Mr Beggs):** Order. Mr McCrea, you have the Floor. Please continue.

**Mr B McCrea:** Thank you. I do not wish to be inaccurate. I thought that I was to speak after Mr Allister and was therefore next on the list.

It was an important debate, which, as chair of the all-party group, I have had a lot of input into. I really would have liked to have had the opportunity to make a proper contribution. I am grateful that many Members afforded

me the courtesy of letting me intervene, but, given the importance of the debate, a few minutes extra from the Business Committee might have been appropriate. I ask you to bear that in mind, Mr Deputy Speaker. I am not making any complaint. I am just drawing that to your attention.

**Mr Weir:** Further to that point of order, Mr Deputy Speaker, without making any challenge to the Chair, will you confirm that there were Members who were not called to speak in the debate who were higher on the list than some who were called?

**Mr Deputy Speaker (Mr Beggs):** A number of Members who wished to participate were not called. Acting as the Deputy Speaker, I have the duty to try to give regard to party strengths and the variety of views — the balance of opinion. That is a job that I endeavour to do to the best of my ability.

When everyone does not get to speak, I can assure you that, like this moment in time, I am aware that a number of Members are not satisfied, I understand that it was a motion for which the Business Committee allowed one and a half hours. If someone wishes to change that, it is in the hands of your representatives on the Business Committee. Acting in my role of Deputy Speaker, I am required to follow the guidance that is set down and to endeavour to provide a range of Members to speak to reflect the balance of party strengths and opinion on a particular issue. Your views are on the record and I am sure that the Speaker will be made aware of them. I hope that your representatives on the Business Committee will also be aware of them.

*Adjourned at 9.20 pm.*

# Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.





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# Written Ministerial Statements

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.

## Health, Social Services and Public Safety

### **Progress of the Cross-Departmental Autism Strategy (2013-2020) and Action Plan (2013-2016) as at 30 September 2015**

*Published on 13 November 2015.*

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** The purpose of this statement is to advise the Assembly that I have placed in the Assembly Library, a Progress Report on the implementation of the cross-departmental Autism Strategy (2013-2020) and Action Plan (2013-2016).

As members will be aware, the Strategy and Action Plan were developed to help improve services and support for people with autism, their families and carers, throughout their lives. This Progress Report provides a summary on the status of each of the actions contained in the Strategy Action Plan, together with a brief narrative highlighting key areas of progress over the last year and a look ahead to challenges in the coming year.

As we are around 18 months from when the Strategy and Action Plan were launched, I wanted to share with you the progress and ongoing work that is taking place to develop and extend post-diagnostic autism services, not just through my Department and the HSC, but through all Government Departments and their Arms Length Bodies and Agencies.

It is also important to acknowledge the work of the community and voluntary sector in this area - which continues to provide advice, support, training, social activities, short breaks and housing to individuals with autism, their parents/carers and siblings. They also provide services, support, friendship and advice to families and individuals through small local groups, and many of the larger third sector organisations have been commissioned by the statutory sector to deliver specific services, guidance or staff training.

Many of the key themes of the Strategy are progressing well, with better support available to access services for people with autism, their families and carers. This has been achieved by providing autism training for front line staff, education professionals, youth workers and parents of children with autism. There is also better awareness of support services available to families, through a number of ongoing initiatives, including improved Parents and Carers Education Programmes, signposting by way of the Family

Support NI website and through HSC Trusts, as part of their triaging process, providing families with information about how to access support services whilst waiting on autism specific assessment.

I would like to inform members of just a few of the innovative actions that have been progressed by joint working arrangements involving a number of government Departments and their agencies, such as the Northern Trust's 'One-Stop' Adult Autism Advisory Service in Ballymena which was the first of its kind in Northern Ireland, available to people aged 16 and over with a diagnosis of autism, to help provide advice and support on key aspects of their daily lives including health, education and social security benefits.

A similar 'First Stop Shop', located in Belfast Central Library, was also launched by the Belfast HSC Trust in co-operation with DEL and DSD, and this operates as a drop-in facility for clients, to answer employment-related queries and to provide careers or benefits advice.

The Northern HSC Trust now also provides an Autism Paediatric Intervention Initial Advice Clinic, via a telephone call appointment offered to those referred for specialist treatment. Initial autism specific advice is provided to help parents/carers to manage the difficulties they are facing.

As part of its Assured Skills project, the Department for Employment and Learning has engaged with Specialisterne (a social enterprise that works to enable jobs within the IT Sector for people with autism) to pilot four places for participants with autism. Specialisterne not only recruited the four participants and identified job placement opportunities, but delivered training to the Assured Skills team; the two training providers (South Eastern Regional College and Belfast Met), and to staff within the placement companies.

The Department for Regional Development launched the Access Travel Wallet in April 2014. It is designed to assist people with a disability and/or communication difficulties, such as people with autism, to travel independently. It is also intended to help public transport staff have a better understanding of the travel requirements of such passengers.

Although there has been significant progress in many areas, it is undoubtedly the case that the considerable increase in referrals has created a major challenge for the Health and Social Care Sector and particularly their ASD teams. Over the past six years, referrals of children and young people for assessment have increased from around 1,500 to 2,936 per annum. As there are a limited number of clinicians with the appropriate skills working in this area,

this has inevitably resulted in longer waiting times for the first assessment and ultimate diagnosis.

I fully understand that an increase in waiting times is stressful and upsetting for families however, based on current service capacity autism services are unable to keep pace with demand. The Health and Social Care Board are reviewing the process of diagnosis with the aim of identifying more efficient methods of assessment and maximising clinical time, but still delivering a high quality diagnosis.

Given the scale of challenges I face in the current financial climate, it is simply not possible to guarantee the early intervention as outlined in the Autism Strategy, without additional funding to further develop autism specific assessment services. As I have reiterated before, such pressures are a fact of life. Therefore, to break out of this cycle we have to intensify our efforts to reform our thinking, processes and services, while at the same time, continuing to deliver the services people need.

It is with that aim the HSC Board is also working with all HSC Trusts to develop a new standard operating model which will focus on developing early intervention teams and seek to integrate and align autism services with other child development and young people's mental health services. It is anticipated that, in the medium to longer term, this will help in the development of new ways of working with a view to improving access to a timely assessment and diagnosis and provision of support services.

A copy of the Progress Report will also be published on my Department's website.

## Social Development

### Regeneration Bill

*Published at 11.30 am on 26 November 2015.*

**Mr Storey (The Minister for Social Development):** I wish to make a Statement to the Assembly in respect of the Regeneration Bill.

The Reform of Local Government commenced on 1 April 2015 with the creation of 11 new councils and the transfer of a range of functions and powers from central government to local government on that date. The aim of the transfer of key functions such as planning, urban regeneration, local economic development and local tourism from central to local government is to allow councils to take the lead in reshaping their areas and communities in the context of their new powers of community planning.

In November 2014, the Executive agreed that the transfer of powers and responsibilities from the Department for Social Development should be deferred until 1 April 2016. The legislative vehicle through which this was to be achieved is the Regeneration Bill which I introduced to the Assembly on 8 December 2014. While some good progress has been made on taking the Bill forward, a number of fundamental policy issues were raised by the Social Development Committee, and by other interested stakeholders through the presentation of both oral and written evidence, during the Committee's scrutiny of the Bill. I am of the view that it is important that the Bill has broad support, and I have been working towards that end. Unfortunately there remain unresolved issues, which have slowed down the legislative process making the timetable for putting this legislation into place extremely challenging.

It is also important to consider the impact any further delay and uncertainty around the Bill would have on the detailed planning by my Department and the receiving councils for the transfer of staff, budgets and assets from April 2016. We have now got to the stage where I need to be able to provide clarity to key interests on the way forward.

I am also conscious that plans for the restructuring of Departments are well underway and this will result in the creation of the new Department for Communities (DfC). This new Department will have responsibility for a much wider range of responsibilities including regeneration, social security, housing, employment services, culture, arts and leisure. In that context I have also been considering whether it would still be appropriate to be proposing, for example, to transfer work on physical regeneration projects to councils when similar type work is being transferred to DfC from other Departments.

Taking all these factors into account, I have concluded that now is not the right time to go ahead with the transfer of these key DSD functions to councils. In my view it would be a better option to proceed with the restructuring of Departments, assimilate the various regeneration type functions in the Department for Communities and then we would be in a better position to determine if and when some of these responsibilities would be best delivered at a local level. I believe that this approach would also offer a valuable opportunity to start again and look at the underpinning policy afresh to take account of the

concerns and questions raised in relation to the transfer of these powers and responsibilities to councils. I have therefore decided not to proceed with the Regeneration Bill as currently drafted. I have written to all key interests informing them of my decision.

This decision means that my Department will continue to have responsibility for the delivery of these key services to the community, retaining its statutory powers, control of the overall budget and ownership of the associated physical assets and it will continue to deliver the relevant programmes until such time as the Executive decides otherwise.

I can assure you that I am still fully committed to the principles of the Reform of Local Government and believe that local councils are best placed to deliver local solutions.

I hope that the good work which has been done to date on this programme and the excellent arrangements and relationships that have been built up between the councils and the Department will continue as we work together on delivering these key services for the citizens of Northern Ireland.





# Committee Stages



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# Northern Ireland Assembly

Committee for the Environment

5 November 2015

## Environmental Better Regulation Bill [NIA 55/11-15]

### Members present for all or part of the proceedings:

Mrs Pam Cameron (Deputy Chairperson)  
Mr Cathal Boylan  
Mr William Irwin  
Mr Barry McElduff  
Mr Gary Middleton  
Mr Ian Milne  
Lord Morrow  
Mrs Sandra Overend

### Witnesses:

Mr Dave Foster  
Mr Robert Gray                      Department of the Environment

**The Deputy Chairperson (Mrs Cameron):** I welcome Robert Gray. Robert, are you on your own today?

**Mr Robert Gray (Department of the Environment):** No, Dave will be here in a minute.

**The Deputy Chairperson (Mrs Cameron):** Dave Foster will be coming shortly.

Members, this session will be covered by Hansard. I remind you that, last week, the Committee decided that it was content with many of the clauses as drafted. It was also content with the proposed new clause 3A as drafted and with the amendment to clause 8 as drafted. The Committee considered a draft version of the amendment to clause 3. However, the final version differs slightly, so it will be considered again today.

The Department has also provided the wording that will be added to the explanatory notes for clauses 5, 8 and 13, as requested by the Committee. It has also provided draft amendments to clause 12 and schedule 1, as requested by the Committee, and additional information on paragraphs in schedule 1 that relate to penalties and fines. The information on the additional amendments is in members' tabled papers. We will look at each of those in turn.

Clause 3 deals with regulations relating to protecting and improving the environment: consultation. The Committee previously agreed the draft amendment to clause 3, which would leave out "as it thinks fit" and replace it with "considers appropriate". The Committee was content with that. However, the final amendment will replace:

*"as it thinks fit, including such"*

with " , including". Therefore, the amended clause would read:

*"(b) such other persons, including such persons appearing to it to be representative of the interests of district councils".*

Are members content with the proposed amendment by the Department?

*Members indicated assent.*

**The Deputy Chairperson (Mrs Cameron):** Are members content with clause 3 as amended, or do you wish to ask the Department to amend the clause further?

**The Committee Clerk:** Members, we previously considered an amendment that the Department initially thought it would table to replace "as it thinks fit" with "considers appropriate", but that was only a draft amendment. The final version that it now proposes to table will not use the words "considers appropriate" but will just replace:

*"as it thinks fit, including such"*

with " , including". That means that the clause 3(1)(b) will read:

*"such other persons, including such persons appearing to it to be representative of the interests of district councils, industry, agriculture, fisheries or small businesses, as it considers appropriate."*

**The Deputy Chairperson (Mrs Cameron):** Do members have any comments or queries?

**Lord Morrow:** I am sorry; I think that I missed that meeting. I was hoping to get to it, but something turned up at the very last moment.

The amendment proposes to leave out "as it thinks fit". That is a very wide phrase, and it is, therefore, replacing it with those other words. Are we saying that we are being specific? I am coming in cold to this, so I am looking for some guidance.

**The Committee Clerk:** The Committee had asked for the Department to remove "as it thinks fits", as it did not like that phrase. When we went out to a call for evidence, there was a suggestion that it should include "relevant persons". The Department responded to advise that it would be its preference not to use "relevant persons", and it initially came up with a proposal to add "considers appropriate"

instead of the phrase “as it thinks fits”, which is the phrase that the Committee did not like. The final version of the amendment will now just be “, including”. It will remove “as it thinks fit”.

**Mrs Overend:** Deputy Chair, “as it considers appropriate” is already there at the end of that subsection.

**The Committee Clerk:** It was already there. The initial proposal was to put it in twice. The final amendment will just be “, including” instead of “considers appropriate”, because that is already the final wording in that subsection.

**Mrs Overend:** It seems like a bit of duplication.

**Lord Morrow:** I agree that it is not acceptable to use the words “as it thinks fit”. The amended subsection would state:

*“such other persons, including such persons appearing to it to be representative”.*

That is another bit of jumping off into the dark and saying that those folk or that group appear to be representative. As long as they have the perception, that is all right. Is that the case, Mr Foster? I am maybe thinking out loud.

**The Deputy Chairperson (Mrs Cameron):** Do the officials wish to comment on that? Mr Dave Foster (Department of the Environment): Using the words “appearing ... to be representative” illustrates the fact that we do not have 100% knowledge of who is representative, so we can only make a judgement as to who is representative. In reality, we publish consultations on our website and that is our attempt to ensure that the most representative batch of people are able to access it.

**Lord Morrow:** I think that I understand what you are saying and why you are saying it, but we are still saying this after the consultation. This is now the drafting stage. Maybe this is common language, in drafting a piece of legislation. Is it, Mr Gray?

**Mr Gray:** I think that it is common language. The Department will attempt to consult with as many people as it is aware of who are:

*“representative of the interests of district councils, industry, agriculture ...”.*

If we try to limit that in some way, it might be more constraining. The Department wants to be allembicing in its consultation exercise, and that wording allows us to do that. The Department is under a statutory requirement to consult. It is a statutory duty imposed on the Department to consult with all the representatives who appear to it to be representative of all those sectors.

**Lord Morrow:** Mr Gray, why would it not just read, “including such persons who are representative of the interests of district councils, including” etc?

**Mr Gray:** I do not know that, in practice, that would make any difference. I am just trying to think that through. Would that make any difference in actual practice?

**Lord Morrow:** Yes, that is a fair question. There is something vague about the word “appearing”, but if it is in the drafting lingo, let us settle on it. I think that you are saying that it would be common language.

**Mr Gray:** This provision has been drafted by the Office of the Legislative Counsel, which is familiar with consultation provisions in legislation.

**Lord Morrow:** That is a fair point. We will live with it.

**The Deputy Chairperson (Mrs Cameron):** Will members confirm that they are content with the amendment proposed by the Department?

*Members indicated assent.*

**The Deputy Chairperson (Mrs Cameron):** You do not wish to ask the Department to further amend clause 3?

*Members indicated assent.*

**Lord Morrow:** No, I do not. It appears we do not. [Laughter.]

**The Deputy Chairperson (Mrs Cameron):** Let us move to clause 5, “Interpretation”. The Committee agreed to ask the Department to provide more detailed information in the explanatory notes to explain what is meant by:

*“offence to the senses of human beings”*

and ecosystems. The Department has provided the suggested wording at page 27 of the tabled papers. Dave or Robert, do you want to give a brief explanation while members are checking their papers?

**Mr Gray:** I have to admit that I struggled with this one, and I consulted the legal draftsman and so on about it. We agreed that primarily what we are talking about here is pollution caused by excessive noise or unpleasant odours. It is pollution in the sense of environmental harm and harm to human beings. The best examples that we came up with were excessive noise or unpleasant odours or stench. The word “offence” is quite a strong one. An example was cited in one of the previous sessions about an ugly-looking building and whether that could be used in this situation. On consulting with the legal people and looking at the regulations that are due to come forward under the Bill, it is the case that the use of the word “offence” in relation to the senses of human beings deals with issues concerning noise and odours. It is that type of thing. It is offence to those senses.

**The Deputy Chairperson (Mrs Cameron):** I am struggling to hear you up here. My hearing is not great. You may want to raise the level a bit. Are members satisfied, or do you have any further queries?

**Mr Gray:** That is a common provision. That term already exists throughout existing environmental law. It is nothing new. It is already in various areas of environmental law.

**Lord Morrow:** If this is the way that it is done and if it ain't broke, we will not fix it.

**The Deputy Chairperson (Mrs Cameron):** Members, as a Committee, are we content with the Department's explanation for the explanatory and financial memorandum (EFM)?

*Members indicated assent.*

**The Deputy Chairperson (Mrs Cameron):** The Committee agreed at last week's meeting that it was content with clause 5, as drafted, and now members have seen the wording for the EFM. Are you still content, or do you wish to ask the Department to amend that clause? Are you content?



*Members indicated assent.*

**The Deputy Chairperson (Mrs Cameron):** We will move on to clause 8, "Rewriting powers of entry". The Committee agreed to ask the Department to provide additional information in the explanatory notes to explain the technical amendment proposed by the Department. The Department has provided the suggested wording at page 28 of the tabled papers.

Members, are you content with the proposed wording in the EFM? The Committee agreed clause 8, as amended, at the last meeting. Now that members have seen the wording for the EFM, are they still content or do they wish to ask the Department to further amend that clause?

*Members indicated assent.*

**The Deputy Chairperson (Mrs Cameron):** We move on to clause 12, "Code of practice in relation to powers of entry". The Committee asked the Department to amend the clause to allow further Assembly scrutiny of the code of practice. The Department has provided details of the proposed amendments at page 26 of the tabled papers. Could Dave or Robert comment on the proposed amendment?

**Mr Gray:** Again, this is a common provision in existing environmental law and in codes of practice. I mentioned, last time, that Assembly controls are imposed in some legislation and that they are not in other legislation. In view of the Committee's concerns about the lack of Assembly control, the Department was content to put those provisions in. It means that, in effect, the code of practice, whenever it is drafted, has to be laid before the Assembly in draft. So, it is subject to that Assembly control. It is subject to a resolution, and, if the Assembly prays against it, the Department would have to revisit the whole code and bring it forward again in a different form. It gives the Assembly ultimate control over the release of that document.

**The Deputy Chairperson (Mrs Cameron):** Can you confirm that subsection (5) will be expanded to cover the new subsections (3A), (3B) and (3C)?

**Mr Gray:** Yes. There will need to be a consequential renumbering. Obviously, when you put three new subsections in that clause, the other subsections will have to be renumbered. That will be reflected in the version of the Bill that is published after it is amended.

**The Deputy Chairperson (Mrs Cameron):** OK. That is grand. Members, are you content with the proposed departmental amendments, numbers 4 and 5? Are you content with clause 12, as amended, or do you wish to ask the Department to further amend that clause? Are you content?

*Members indicated assent.*

**The Deputy Chairperson (Mrs Cameron):** We move on to clause 13, "Interpretation". The Committee agreed to ask the Department to provide additional information in the explanatory notes to further define "premises". The Department has provided the suggested wording at page 29 of the tabled papers.

Members, are you content with the proposed wording in the EFM? The Committee agreed clause 13 at the last meeting. Now that members have seen the wording for the EFM, are they still content or do they wish to ask the Department to further amend that clause? Are you content?

*Members indicated assent.*

**The Deputy Chairperson (Mrs Cameron):** Schedule 1 is on matters for, or in connection with, which regulations may be made under section 2. The Committee asked the Department to consider an amendment to remove the words, "Further defining environmental activities" in paragraph 1; and to provide further detail on schedule 1 in relation to the following: in paragraph 13(10), clarification of the reason why a maximum fine is defined in the Bill but a minimum fine is not; and in paragraph 13 (11), further clarification regarding what this will mean in practice.

The Department has provided details of the proposed amendment at page 26 of the tabled papers. At page 30 of the tabled papers, the Department has provided clarification of the reason why a maximum fine is defined in schedule 1(13)(10) but not a minimum fine. Do you have any comments on the issues that were raised?

**Lord Morrow:** Are the gentlemen telling us anything additional, or is this as good as it gets?

**Mr Gray:** We have tried our best to elaborate on that, following your comments last week. Again, this is in keeping with legislation throughout the environmental and other areas where, whenever we are dealing with offences, a maximum amount is referred to. This provision allows the Department to bring forward regulations that will specify an amount that must not exceed £50,000. There is no reference to a minimum amount, and the reasoning behind that, as I understand it, is to allow the courts discretion to deal with perhaps an exceptional case. Again, it is in common with the way that such offences provisions are drafted in legislation. Again, all the finer detail surrounding all of this will be a matter for the regulations to be made under the Act. It is about the courts exercising their discretion depending on the individual circumstances of a particular case. If the Department were to set in the Bill a minimum fine — say, for the sake of argument, £1,000 — that could have unwelcome or unintended consequences in relation to, say, an exceptional case where a court may decide that that really is not appropriate in that particular case. It is difficult to comment in any more detail because every case will be different.

**The Deputy Chairperson (Mrs Cameron):** To go over this: you have agreed to remove the words, "Further defining environmental activities" in schedule 1(1)(1). However, you are planning to retain sub-paragraphs (2) and (3). Does this not also give the Department powers to further define environmental activities?

**Mr Gray:** Yes. I would maybe like to get some more legal advice on that. The environmental permitting regulations to be made under Part 2 and schedule 1 cover a really wide range of issues, as I have said several times before. I do not want the Department to be left short with the powers that it has, so I would not like to commit to removing that. I would like to consider it and get some further legal advice on that point.

**The Deputy Chairperson (Mrs Cameron):** You are quite late in the day to bring this to the Committee's attention.

**Mr Gray:** No, we have removed the power that the Committee asked us to remove. The Committee asked us to remove paragraph 1(1).

**Mr D Foster:** We did not discuss sub-paragraphs (2) and (3) in any detail at the last session, I do not think.

**The Deputy Chairperson (Mrs Cameron):** Sorry?

**Mr D Foster:** We did not discuss sub-paragraphs (2) and (3) in any detail at the last session. I think that the conversation was focused on sub-paragraph (1), which we have sought to remove.

**The Deputy Chairperson (Mrs Cameron):** How quickly can we get the response regarding the legal advice?

**Mr Gray:** Before your next meeting.

**The Deputy Chairperson (Mrs Cameron):** OK.

Members, are we content then with the explanations given by the officials on paragraphs 13(10) and 13(11)?

**The Committee Clerk:** In relation to the minimum fines.

**Lord Morrow:** Chair, I have heard what Mr Gray has said here. I think that he is saying that it is not often, if ever — I know that those are not his words — that you put in a minimum sentence; you always go for a maximum sentence, which cannot be in excess of whatever it is. There is not, in any legislation, a provision stating that there must be a minimum sentence. Is that not what you are saying?

**Mr Gray:** In relation to drink-driving offences, I am aware, because I was doing some research on this, that, if someone is breathalysed and is shown to have a certain level, that will automatically attract a minimum fine. There is no room for manoeuvre there, presumably. I am not an expert in that area, but that is the only example that I could find.

**Lord Morrow:** I think that the argument that you articulated was that it would restrict the courts, but the courts are always restricted to a certain degree in some way. I do not see it fettering any court or judge in making a decision. Anyway, I am not prepared to labour it any further, Chair. I have made those points in the past, and, obviously, I am not winning the argument. I know when I am beaten.

**The Deputy Chairperson (Mrs Cameron):** OK. I take it that we are content with the explanation, then?

**Lord Morrow:** I think so, yes. I surrender.

*Members indicated assent.*

**The Deputy Chairperson (Mrs Cameron):** Robert and Dave, will you tell us more about the new amendment on national security that you are planning to bring forward?

**Mr D Foster:** OK, certainly.

As members are aware, a large part of the Bill — Part 1, in particular — deals with the powers for us to bring about regulations regarding permitting. That will bring together a number of existing permitting regimes: waste management licensing, pollution prevention and control etc. In parallel with the work on the Bill, we have been doing policy development work for the first set of regulations that we have referred to on a number of occasions when we have been before the Committee on the new permitting regime. It has become apparent during that work that, in order to mirror provisions in our existing permitting regimes on some issues of national security, the power that we had previously in the existing regimes for the Secretary of State to direct regulators on issues of national security is not in the Bill. So, subject to the views of the Secretary of State, we propose to table an amendment to deal with that.

By way of example, the regulations as currently drafted for the existing regimes allow direction from the Secretary of State for reasons of national security, and that might be in relation to public registers. The Secretary of State might issue a direction to the regulator to exclude certain information from the public register of applications for permits. That might be an example of when such a direction might be needed. Generally, it is not in relation to environmental information being excluded from registers, it is, perhaps, to do with requirements around the labelling of particular locations on site plans which security advisers might judge to be important for vulnerable facilities.

I appreciate that this comes somewhat late in the day for the Bill, but it has arisen from the work on the first set of secondary legislation and the requirement to ensure that the current powers in existing regimes could be mirrored in the new set of regulations for indicative permits.

**The Deputy Chairperson (Mrs Cameron):** Do you have a timescale for the national security amendment?

**Mr D Foster:** We are working on it urgently. We are looking to bring something forward at Committee Stage.

**Mr Gray:** We will be looking to bring forward an amendment in time for the next meeting of the Committee, but the actual wording of the amendment will probably be subject to the Secretary of State's approval.

**The Deputy Chairperson (Mrs Cameron):** Members, are there any questions on this?

**Mrs Overend:** Can you give us an example of when this sort of power would be used, just for clarification or to help the understanding of someone who is not an expert in the field?

**Mr D Foster:** I am not a security expert either, so it is somewhat difficult. When applicants submit an application form for a permit, all sorts of information comes with it, and there is also ancillary information. Quite often, there will be a requirement for a detailed site plan of the facility. Where it is a large facility, say a large industrial facility, a site plan is often already in existence. So, for what is seen as being a vulnerable facility, there might be a direction to not put that detailed site plan on the public register. Instead, there may be a more high-level plan showing the main elements of the site, but perhaps not in as much precise detail. That is the kind of broad example that has been used previously, although rarely, to my knowledge.

**The Deputy Chairperson (Mrs Cameron):** There are no further questions on that. Thank you very much, gentlemen. I do not think that we have any further questions. Do you have a question, Cathal?

**Mr Boylan:** No, it is my first day back, Chair.

**The Deputy Chairperson (Mrs Cameron):** It has been too much.

To summarise, then, the officials will bring forward advice on schedule 1, paragraphs 1(2) and 1(3) for the next meeting. We will therefore wish to defer our formal clause-by-clause scrutiny until next week when we will receive that information. We will move on to that when all outstanding issues have been resolved. The Department may have a new amendment for next week's meeting, but, given the late stage of our scrutiny, we may wish just to note it.

Thank you very much.

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# Northern Ireland Assembly

Committee for Health, Social Services and Public Safety

11 November 2015

## Health and Social Care (Control of Data Processing) Bill [NIA 52/11-15]

### Members present for all or part of the proceedings:

Ms Maeve McLaughlin (Chairperson)  
Mr Alex Easton (Deputy Chairperson)  
Mrs Pam Cameron  
Mr Kieran McCarthy  
Ms Rosaleen McCorley  
Mr Michael McGimpsey  
Mr Daithí McKay  
Mr Gary Middleton

**The Chairperson (Ms Maeve McLaughlin):** I remind members that we completed our informal clause-by-clause deliberations on the Bill on 4 November. I refer members to the Committee Clerk's paper in their meeting pack, which sets out the final position on the deliberations. Hard copies of the proposed amendments in annex B and C of that paper have been placed on the table for your convenience. Departmental correspondence on proposed amendments can be found in members' packs.

So that we are clear, I remind members that this is the formal clause-by-clause consideration of the Bill. It is therefore a vital and essential part of our duties, and it is obviously needed for the preparation of the Committee report. It is the final opportunity for the Committee to propose amendments to the Bill. At this juncture, I invite members, if they wish to do so, to propose any amendments at today's meeting that have not already been circulated to the Committee.

I take that silence as a no.

I advise members that I will formally put the Question on each clause. The Committee will be required to vote that we are content with the proposed amendments and content with the clause as drafted; that we are content with the clause as drafted, subject to departmental and/or Committee amendments; or that we are not content and wish to oppose the clause. I will proceed through the clauses and put the Questions formally. I inform members that, where there are amendments, I will put the Question on the amendment first so that people are clear. I ask members to keep their copy of the Bill and of the amendments in front of them for reference as we go through the clauses.

### Clause 1 (Control of information of a relevant person)

**The Chairperson (Ms Maeve McLaughlin):** As members will remember, we asked that a written ministerial

assurance be forthcoming on clause 1(15), stating that regulations under the legislation would not make provision for authorising the selling of information processed. That assurance has been received and can be found in your meeting pack.

I inform members that both the Department and the Committee have proposed amendments to clause 1. In clause 1(1), the Department is proposing an amendment that would impose a mandatory duty on the Department to make regulations. It would replace the words "medical or social care purposes" with "health or social care purposes" and allow for the sharing of information in the public interest only if it is connected to a health and social care purpose.

In clause 1(3), the Department is proposing an amendment that would provide that information will be processed only if authorisation is granted by the Committee. In clause 1(11), the Department is proposing an amendment that would remove the terms "social well-being" and "any other similar circumstances". In clause 1(14), the Department is proposing an amendment that would remove the word "services". Is the Committee content with the proposed amendments?

*Members indicated assent.*

**The Chairperson (Ms Maeve McLaughlin):** In clause 1(2), the Committee is proposing an amendment that would place an opt-out provision in the Bill. Is the Committee content with the proposed amendment?

*Members indicated assent.*

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

### Clause 2 (Establishment of committee to authorise processing of confidential information)

**The Chairperson (Ms Maeve McLaughlin):** The Department is proposing an amendment to 2(1) that would provide that it must, by regulations, establish a committee, thus making the establishment mandatory. The Committee indicated that it was generally content with the clause and the proposed amendment. Is the Committee content with the proposed departmental amendment?

*Members indicated assent.*

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 3 (Code of Practice)**

**The Chairperson (Ms Maeve McLaughlin):** The Committee indicated that it was generally content with the clause and the proposed amendments. The Department is proposing amendments to clause

3(4) and (5), which would replace “have regard” with “have due regard”. Is the Committee content with the proposed amendments?

*Members indicated assent.*

**The Chairperson (Ms Maeve McLaughlin):** The Committee is proposing an amendment to insert after clause 3(5) a provision that a code of practice may be taken into account by a court or tribunal in any case in which it appears to the court or tribunal to be relevant. Is the Committee content with the proposed amendment?

*Members indicated assent.*

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

**Clause 4 (Regulations)**

**The Chairperson (Ms Maeve McLaughlin):** No amendments have been proposed to clause 4. I remind members that the Committee indicated that it was generally content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 5 (Interpretation)**

**The Chairperson (Ms Maeve McLaughlin):** No amendments have been proposed to clause 4. Again, we indicated that we were generally content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 6 (Short title and commencement)**

**The Chairperson (Ms Maeve McLaughlin):** Again, no amendments have been proposed to clause 4, and we indicated that we were generally content with the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

**Long Title**

**The Chairperson (Ms Maeve McLaughlin):** No amendments have been proposed to the long title.

*Question, That the Committee is content with the long title, put and agreed to.*

**The Chairperson (Ms Maeve McLaughlin):** The Committee will consider and agree its report on the Committee Stage of the Bill at next week's meeting.



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# Northern Ireland Assembly

Committee for Regional Development  
18 November 2015

## Water and Sewerage Services Bill [NIA 51/11-15]

### Members present for all or part of the proceedings:

Mr Trevor Clarke (Chairperson)  
Mr Seán Lynch (Deputy Chairperson)  
Mr John Dallat  
Mr Declan McAleer  
Mr Stephen Moutray  
Mr Cathal Ó hOisín

**The Chairperson (Mr Clarke):** The Committee will carry out its formal clause-by-clause scrutiny of the Bill and agree each clause and schedule and the long title. I can advise members that there is a tabled response from the Examiner of Statutory Rules on the Bill. It represents legal advice to the Committee and, in line with the Committee's agreed practices, the advice will be collected following the conclusion of this agenda item.

The Department has agreed to the Examiner's amendments to clause 3. The Department has also agreed, on the whole, to the amendment suggested by the Committee in respect of including Northern

Ireland district councils as statutory consultees. The Department has suggested that the words

"Northern Ireland" are not necessary and would not have been included if it had been drafting the amendment. Just note, members, that the Assembly Bill Office has agreed to that.

The Bill is in your pack on pages 29-41, and the explanatory and financial memorandum is on pages

42-46. I will seek members' agreement on each clause and schedule in turn, and members should indicate their agreement or otherwise. There are 9 clauses and 2 schedules. Finally, I will put the Question on the long title. The options available to the Committee on each clause and schedule are to agree that Committee is content with the clause, as drafted or as amended; agree that the Committee is not content with the clause; or agree that the Committee is not content with the clause and will table an opposition to the clause stand part prior to Consideration Stage. Do Members have any questions before we proceed? OK.

*Question, That the Committee is content with clause 1, put and agreed to.*

*Question, That the Committee is content with clause 2, put and agreed to.*

### **Clause 3 (Power to remove or relax duty to install water meters when making domestic connections)**

**The Chairperson (Mr Clarke):** The amendments to the clause by the Department are as tabled:

*"Page 2, line 11, at the beginning insert 'suspend (whether indefinitely or for a specified period or'*

*Page 2, Line 12, leave out '(a)'*

*Page 2, line 16, leave out 're-enact' and insert 'revive'*

*Page 2, Line 16, leave out 'repealed' and insert 'suspended'".*

The amendments are being proposed on the basis of the tabled advice from the Examiner of Statutory Rules.

One further amendment has been tabled in respect of clause 3 as a result of oral evidence received from the Northern Ireland Local Government Association. The intention of this is to include local government as a statutory consultee where the Department intends to make regulations amending the Water and Sewerage Services (Northern Ireland) Order 2006 in respect of the removal or relaxation of the duty to install water meters when making domestic connections. The Bill Office had originally suggested inserting "Northern Ireland District Councils". However, the Department is advising that the term "Northern Ireland" is not required, as it is a Northern Ireland Bill. The Bill Office has subsequently advised that it is content with the Department's drafting:

*"Page 2, Line 25, at end insert –*

*'( ) district councils;'"*.

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

*Question, That the Committee is content with clause 4, put and agreed to.*

### **Clause 5 (Refusal of surface water connection)**

**The Chairperson (Mr Clarke):** There is one amendment proposed to the clause:

*"Page 4, Line 8, at end insert –*

*'(5C) the reference in subsection (5B) to suitable alternatives includes, in particular—*

*(a) the use of landscaping, natural features or any other kind of arrangement, or*

*(b) the design or construction of any other feature (whether or not amounting to a —structurell within the meaning of Article 2(3A)),*

*for the purpose of reducing the volume of water from the premises or sewer that enters public sewers or watercourses, or the rate at which it does so.”*

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

*Question, That the Committee is content with clause 6, put and agreed to.*

*Question, That the Committee is content with clause 7, put and agreed to.*

*Question, That the Committee is content with clause 8, put and agreed to.*

*Question, That the Committee is content with schedule 1, put and agreed to.*

*Question, That the Committee is content with schedule 2, put and agreed to.*

*Question, That the Committee is content with the long title, put and agreed to.*

**The Chairperson (Mr Clarke):** That concludes the clause-by-clause scrutiny of the Bill. Thank you, members, for that.

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# Northern Ireland Assembly

Committee for Regional Development  
25 November 2015

## Legal Complaints and Regulation Bill [NIA 50/11-15]

### Members present for all or part of the proceedings:

Mr Daithí McKay (Chairperson)  
Ms Michaela Boyle  
Mr Leslie Cree  
Mr Gordon Lyons  
Mr Ian McCrea  
Mr Máirtín Ó Muilleoir  
Mr Jim Wells

### Witnesses:

Ms Stephanie Mallon	Bill Office
Mr Michael Foster	Department of Finance and Personnel

**The Chairperson (Mr McKay):** The Bill Clerk is here to recap on the draft amendments that the Committee has commissioned. DFP official Michael Foster is available to speak on each of the amendments that the Department intends to table at Consideration Stage.

Stephanie, do you want to kick us off?

**Ms Stephanie Mallon (Bill Office):** Yes. To recap on last week, I presented two amendments to the Committee for consideration. The first was a review of the function contained in the Bill to measure its success and implementation. I briefed members at the time to say that this was the kind of review of the efficacy of an Act that you would see in others: for example, the Planning Act (NI) 2011, the Carrier Bags Act (NI) 2014 and the Commissioner for Older People Act (NI) 2011 etc. All of those Acts contain this kind of function.

The second of the two amendments aims to address the Committee's concerns around first-tier complaints. Those were the complaints that were reported and addressed at the point of service delivery. At that time, the Committee expressed satisfaction with the amendment that I had drafted, but that was pending the Department's coming forward with an alternative for consideration. I believe that that has happened today and that Mr Foster will want to address that.

**The Chairperson (Mr McKay):** Members, for your information, the Committee's proposed amendments are at page 28 of tabled papers, and the DFP amendments are at page 31.

Michael, do you want to give us some comments on this?

**Mr Michael Foster (Department of Finance and Personnel):** Do you want me to deal with the firsttier complaints issue first, Chair?

**The Chairperson (Mr McKay):** Yes.

**Mr M Foster:** OK. I refer the Committee to amendments 1, 5, 6, 7, 12 and 13. Those amendments are the Department's way of dealing with the issue of first-tier complaints. Some of them are consequential amendments, and there are really three substantive ones to consider. I know that this has been an issue of central importance for the Committee during the passage of this Bill, and we have obviously considered this carefully. Our proposed amendments are, we think, a neater and more comprehensive way of achieving the Committee's aim here in relation to gathering information on firsttier complaints. I will just briefly set out how the Department formed that analysis, Chair.

I will start by working backwards and looking at amendment 13 in the first instance, because it would effectively place a duty on the Legal Services Oversight Commissioner (LSOC) to report on the number of complaints received each year. The Committee's amendment proposed to deal with this by simply providing that:

*"The Commissioner shall prepare and publish a report annually on the number of all complaints made in that year."*

Our initial concern about that was that, on its own, the particular provision would not sit consistently with the general reporting provisions that are set out in schedule 1, paragraph 14, when reflecting on the general powers of the LSOC at clause 2. If you took either the Department's proposed amendment or the Committee's proposed amendment, our concern was that it could be argued that the LSOC already had the power to report on such matters. However, I know that the Committee has raised the point, through the Clerk, that the commissioner would not necessarily have to include such information in his or her report. Therefore, it is my understanding that the Committee would like to see the duty specifically addressed in the Bill.

I think it unlikely that an LSOC charged with the power to require professional bodies to provide information relating to complaints would not report on it during a year, but we have worked with the Office of the Legislative Counsel (OLC) on this point and come up with a form of words in

an amendment that I hope will satisfy members. We feel that it will sit more consistently with the clauses in the Bill. Amendment 13 is designed to cater for the same. I place emphasis on the first few words here, where, importantly, it says:

*“Without prejudice to the generality of sub-paragraph (1), a report sent to the Department under that sub-paragraph must contain information on the number of complaints made in relation to the members of each professional body during the year to which the report relates.”*

That dovetails in with the existing duty on the commissioner to report on all of his or her duties but also caters for the Committee's specific aim to have the commissioner report specifically on the number of complaints received each year.

I will read backwards from that to the Department's amendments 12 and 13. We are not 100% sure whether we will need to move amendment 12. We are considering whether we need to qualify the generality of paragraph 14 in another way. Amendment 13 on its own will probably sit OK, but we will consider that as we come to Consideration Stage. If you read back, you see that the key for the Committee is that a commissioner will report on the total number of complaints received each year at the first tier. Amendment 13 provides that duty, and we feel that the way that we have drafted it will do it in a neater way. Reading back to clause 2, our amendment 1 will insert a new provision into the powers of the commissioner that will:

*“require a professional body to provide the Commissioner with such information in relation to the number of complaints made against the members of that body as the Commissioner may specify.”*

That is a slightly different slant to the amendment that the Committee has commissioned from the Bill Office, which simply states that the commissioner may:

*“require a professional body to provide information on the number of all complaints made about its members annually.”*

The Department is of the view that —

**The Chairperson (Mr McKay):** This is the amendment to clause 2, Michael, is it?

**Mr M Foster:** Yes, it is.

The Department is of the view that its amendment provides more scope for the LSOC to obtain meaningful information from the professional bodies, including but not limited to simple statistics on complaints. The Department's amendment, to give an example, might allow the commissioner to require the professional bodies to categorise complaints at the first tier in a similar manner to the way that the Lay Observer currently presents information relating to complaints about the Law Society. The total number of complaints would still be captured, but the LSOC could ask for more than just that. I think that that satisfies entirely the Committee's aim and also provides a little bit more scope for the commissioner to explore those particular issues and get more information relating to those complaints.

In our view, on a stand-alone basis, this may not be enough to make it fully effective. The LSOC has a duty to report, and the professional members will be required to provide information, but what about the solicitors themselves? It is not really an issue in relation to the Bar because clause 11 already provides the basis for the Bar Council to gather information on the total number of complaints against its members. However, solicitors have their own in-house complaints-handling procedures, and we feel that it is important, set with the powers of the commissioner to get the information, that the Law Society also has the power to gather this information from its members and specifically from the inhouse complaints-handling system that is run by it.

We consider it prudent, in conjunction with the powers of the commissioner, to give the Law Society the power to get that information from its members, and amendment 5 and then amendments 6 and 7, which are consequential, are designed to achieve that aim. Amendment 5 states:

*“The Law Society must make regulations requiring every solicitor to provide the Law Society with such information about the number of relevant complaints made in relation to that solicitor as may be specified”.*

That effectively mirrors the powers of the commissioner and will allow the Law Society to provide the commissioner with all that he or she wants. I refer the Committee to the fact that “relevant complaints” includes everything at first tier and relates to the professional service provided by solicitors.

That is a brief run-through of the Department's analysis. The Committee's amendments are the same in spirit and achieve the same end result, but the Department's amendments, in our view, give it that bit of a neater sense in the Bill and also achieve a more rounded end result and provide more information, which we think will inform the process in the way that the Committee wants.

**The Chairperson (Mr McKay):** I welcome the fact that the Department has met the Committee halfway on the amendments. The aims that we set out through our amendments are met by much of what you propose. That is a step forward, because a number of officials whom we have had before us with regard to Bills would not give a single inch. This is quite welcome and quite progressive.

The question I have is about the review of the Act. The Committee said in its proposed first amendment:

*“The Department must not later than 3 years after the commencement of this Act appoint an independent person to review and publish a report”.*

What is the Department's view on that?

**Mr M Foster:** We have obviously looked very carefully at the first-tier complaints. I had some initial concerns about how we would approach that, but I was happy to work with the Committee on that point. The statutory review causes the Department more difficulties.

**The Chairperson (Mr McKay):** Even though it is just one review; it is not a recurrent feature.

**Mr M Foster:** I will set out my thinking on it again. From looking at it in a broad way, the Department has sought and achieved considerable buy-in from the professional bodies on the reform. Both have publicly recorded their



desire to see the system work in an effective way. From the outset, my concern is that having a statutory review that has to be published no later than three years after the Act comes into operation could send out a mixed message to the professional bodies. Some might argue that it could be a sword of Damocles.

I worry that we are effectively saying, “Here is a Bill, but in three years’ time it is going to be reviewed. It had better be working well or there could be problems.” I can understand why the Committee would like to see that, but my concern is that, at the practical level, it may not be possible at a stage of no longer than three years to gauge how the system is working effectively, because we do not really have an accurate understanding of how long it is going to take to bed in. There is going to be a period of overlap between the old system and the new system by their nature.

**The Chairperson (Mr McKay):** Leslie says five years, then.

**Mr Cree:** Done.

**Mr M Foster:** I will explain the rest of my analysis, and then the Committee can form judgements.

Set with that overall concern, the Department does not want to be sending out a message that this is destined to not work. All of the evidence suggests that there is a very good chance that it will work very well. Even taking that argument in the round, the Department already has — I have outlined this to the Committee on a number of occasions — the capacity to the review the system by way of the provisions in clause 4.

Members have raised the point that the Legal Services Oversight Commissioner would carry out that review and have queried whether he or she would be a truly independent voice and provide a neutral review. My analysis of that is that the commissioner is most likely to be best placed to determine how well or otherwise the act is working. He or she will have the closest interface with the professional bodies, will understand and appreciate how they are handling complaints and will be in possession of all the relevant information in relation to the complaints, including the plans, the targets and the themes and issues arising under the new system. It is unlikely that an LSOC would provide an incomplete report on such matters on the basis, for example, of any issues of self-interest. Any report compiled by him would be subject to independent scrutiny by not only the Department and the Minister but the Assembly — all reports by the LSOC have to be laid before the Assembly — and, of course, the Committee. That is a sufficient check on the effectiveness or otherwise of the Act.

I also mentioned making a review time-bound in legislation. The Department and, probably more importantly, the LSOC will probably have a much clearer handle on when the time is right for a review of the legislation. It might bed in quite quickly, in which case the normal post-legislative review by the Department may take place and be repeated after a longer period. It might take longer to bed in, in which case the review may be a holding review, to be followed up later with a more comprehensive piece of work; or, as we hope, reports from the early evidence of this from the commissioner could point to a new system that operates effectively and efficiently and in a way that is beneficial to consumers, which, obviously, is

what the aim of this is. In that case, I would ask whether there would be a tangible benefit in having the natural expense associated with a statutory independent review when we might have the flexibility, under clause 4 and the Department’s general responsibility, to examine the process when we feel the time is right to do so. Clause 4 is in there to provide that flexibility over whether, how and when any review is undertaken, so an additional statutory review of the Act no longer than three years after it comes into operation will not automatically have the desired effect that the Committee is seeking. Our position is to resist an amendment of that nature, given the fact that we already have the broad powers in the Bill.

**Mr Wells:** I always get very suspicious. Even when we get a commitment to review, it does not happen. We get phrases like, “Time has moved on” or “There isn’t the money to do it”. What would be the damage in having a statutory review? Apart from the fact that you do not want it, you do not like it and you do not want to be bothered with it, what damage would having it do?

**Mr M Foster:** I would not say that I do not want it or that I could not be bothered with it —

**Mr Wells:** Not you personally — the Department.

**Mr M Foster:** I do not think that the Department is of that view, either. In fact, the Minister indicated at, I think, Second Stage that the system is there for the professional bodies to run and operate in the way in which it is intended. If the evidence down the line shows that it is not working that way, the Department has other powers at its disposal to progress something different.

**Mr Wells:** What is wrong with having an imperative to do it, then?

**Mr M Foster:** My point is that we have that power there already.

**Mr Wells:** If you do not want to bother to do it, you will not do it. There is nothing to force you to. Members can throw in questions left, right and centre, and you will say, “Well, it’s not appropriate” or whatever. I have backed legislation in the House on the basis of a review, and the reviews never happened; they were just forgotten about. There was a change of Minister and a change of parties, and you were just told to go away. It is protesting too much.

A review forces you, as a Department, to make absolutely certain that it is working well and that the review will come out with glowing colours. I can argue with you about the timing of the review and whether it should be after three, five, seven years or whatever, but the principle is a good one to concentrate the minds of the Department. As you know, there are concerns about the legislation, and it would allay many people’s concerns if they knew that at least there was going to be another chance to have an input. A review means that outside bodies can say how they feel the legislation is operating. I would not die in a ditch over it, but I am always very suspicious when Departments shy away from having their own standard of legislation being scrutinised.

**Mr M Foster:** I take those points on board. Clause 4, as I have repeated, is there to allow that review to take place. My concern is that, if we have an additional statutory review placed in it, it takes it away from the person whom the Department probably considers to be best placed.

Part of the rationale behind clause 4 was that we would have an automatic resource for a suitably experienced and competent person in the LSOC to review any matter relating to the regulation or organisation of the professional bodies. That power is not simply restricted to a review of the Act, although it has the scope to allow that to happen. It is also there for other matters. Say, for example, other issues relating to the regulation of the profession were raised in two, three or four years' time. Instead of having to set up, as the Department had to do about 10 years ago, an independent review group led by Professor Sir George Bain to examine the issues, there is a ready resource there. That resource is a commissioner who is, effectively, paid for by the legal profession, not the Department. We have a cost-neutral review system already in place.

I am happy to recommend to the Minister that she, again, goes on record and indicates at some of the later Stages of the Bill that she will commit to asking the commissioner to review the scheme under the powers in clause 4 within a period of time, whether that is three years —

**Mr Wells:** But the Minister may not be there for very much longer if the press is to be believed.

**Mr M Foster:** Well, I could not possibly comment on that. [Laughter.]

**Mr Wells:** Any commitment that the present Minister makes will be forgotten in the mists of time as she perhaps moves on to higher things and somebody else comes along.

**Mr M Foster:** I would imagine that a new Minister would probably be singing off a reasonably similar hymn sheet to the existing Minister on these issues. I have a concern that we are sending out the wrong message at the start, but we also have the facility there. I am happy to go back to the Minister and ask her —

**Mr Wells:** You had better be quick — very quick.

**Mr M Foster:** Our analysis at the moment is that it is not an amendment that we could support.

**The Chairperson (Mr McKay):** Stephanie, do you want to come in on the Committee amendments?

**Ms Mallon:** Only to say that, with regard to the Committee amendment for review of the Act, last week, we discussed that the time limit we had was to appoint an independent person as opposed to conducting the review within the three-year limit because we recognised what the Department had said, that three years may not be long enough and five years might be too long. It would obviously be the person who is conducting the review who would decide on the timing from there.

**The Chairperson (Mr McKay):** OK, members. Are there any other questions?

**Mr Wells:** I was too easy on you last week, so that is why I went hard on you this week.

**The Chairperson (Mr McKay):** Michael, do you wish to speak on the other amendments?

**Mr M Foster:** I am happy to run through them briefly. Amendment 2 relates to the privilege that is afforded to publications that are made by the commissioner. The original draft indicated that all publications should be absolutely privileged. The Committee heard evidence from

the Law Society and the commission that the privilege should be qualified in the same way as it has been in the Scottish legislation. The Department has accepted that point and the amendment gives effect to it.

I will deal with amendments 3 and 8 together, if I may. Again, evidence from some parties during this process queried clause 17(4)(a) and (5)(a), their equivalents for solicitors at clause 36 and how those provisions sat together. It was recommended to the Department by the Committee that removal of the words "without consideration of its merits" at clauses 17(4) and 36(4) would remove any doubts relating to the interpretation of those provisions. The Department has agreed to that. Amendments 3 and 8 do exactly what the Committee has requested.

Amendments 10 and 11 are relatively technical in nature and address a specific point made by the Examiner of Statutory Rules in his report to the Committee on the delegated-powers memorandum. He indicated that a revised version of clause 51 should be considered by the Department. We have agreed with his points. The two amendments taken together give effect to those recommendations.

Finally, I turn to amendments 4 and 9. They relate to the issue of an apology in the Bill. Members will recall that the Bill provides scope for the relevant complaints committee to direct a respondent to issue an apology. The Law Society, in particular, was exercised about the potential ramifications of giving an apology and considered that the scheme would be more effective if practitioners could present an apology without fear of further consequences. It initially directed the Department to section 2 of the Compensation Act 2006, but the Department felt that that provision needed to be considered in the context of that Act. It then highlighted the proposed legislation in Scotland, which is the Apologies (Scotland) Bill, and asked that consideration be given to similar provision.

The Department has brought forward an amendment. I would just note to Members that it is still in draft form and the precise form of words is still under deliberation. We are conscious that we do not want to impact on other statutory regimes and therefore we are treating the amendment with a degree of diligence. We have worked through it. We are fairly sure that the form of words that you have in front of you at the moment will be the final form of words. However, we just want to make sure. We will come back to the Committee if there is any issue, but we hope that that will be the final draft and that that will be confirmed through the Clerk in due course.

That concludes the run-through of the Department's amendments. I am happy to take final questions.

**The Chairperson (Mr McKay):** Do members have any questions? No.

In relation to clause 2 and the proposal to add provision for the LSOC to gather information on first-tier complaints, do members wish to propose the draft amendment prepared by the Bill Office — amendment 2 on page 28 — or the alternative amendment from DFP, which is amendment 1 at appendix 2 on page 31?

**Mr I McCrea:** I am content with the Department's proposed amendment.

**The Chairperson (Mr McKay):** Are members agreed?

*Members indicated assent.*

**The Chairperson (Mr McKay):** In relation to clause 8 and the issue around absolute privilege that the Committee identified, are members content to propose the draft amendment prepared by DFP? That is amendment 2 on page 31.

*Members indicated assent.*

**The Chairperson (Mr McKay):** In relation to clause 17(4) (a) and the apparent conflict with clause 17(5)(a) that the Committee identified, are members content to propose the draft amendment prepared by DFP? That is amendment 3 at page 31.

*Members indicated assent.*

In relation to clause 19(2) and the issue around apologies that the Committee identified, are members content to propose the draft amendment prepared by DFP, which might be subject to slight changes, as Michael has outlined? That is amendment 4 at page 31.

*Members indicated assent.*

**The Chairperson (Mr McKay):** In relation to clause 29 and the proposal to gather information on first-tier complaints, are members content to propose the draft amendments prepared by DFP, which are amendments 5, 6 and 7 at page 31?

*Members indicated assent.*

**The Chairperson (Mr McKay):** In relation to clause 36(4) (a) and the apparent conflict with clause 36(5)(a) that the Committee identified, are members content to propose the draft amendment prepared by DFP, which is amendment 8?

*Members indicated assent.*

**The Chairperson (Mr McKay):** In relation to clause 38(2) and the issue around apologies that the Committee identified, are members content to propose the draft amendment prepared by DFP, which might be subject to slight changes? That is amendment 9.

*Members indicated assent.*

**The Chairperson (Mr McKay):** In relation to the proposed inclusion of an independent review mechanism at clause 50, the Committee agreed, in principle, last week, that it was content with the draft amendment prepared by the Bill Office. That is amendment 1 at appendix 1 on page 28. That requires that DFP appoints an independent person to review the implementation of the provisions in the Bill within a specified time frame of three years after commencement and that a report on the review is published. It also provides for the terms of the review to be set out in regulations. Are members content to propose that amendment?

**Mr Cree:** Is it three years, Chair?

**The Chairperson (Mr McKay):** Yes.

**Mr Cree:** I am happy with that.

**The Chairperson (Mr McKay):** Are members content?

*Members indicated assent.*

**The Chairperson (Mr McKay):** Are members content to propose the draft amendments to clause 51, prepared by the Department, which will address the issue identified

from the Examiner of Statutory Rules' scrutiny of the delegated powers in the Bill? They are amendments 10 and 11 on page 32.

*Members indicated assent.*

**The Chairperson (Mr McKay):** Are members content to propose the draft amendments prepared by the Department in relation to schedule 1 and the proposal to gather information on first-tier complaints? They are amendments 12 and 13 on page 32.

*Members indicated assent.*

**Mr M Foster:** Chair, apologies; I should have mentioned that there is a very small typo in amendment 12, which I alerted the Clerk to. The word "department" should be capitalised. It is very minor.

**Mr Cree:** We are on a very low point there.

**The Chairperson (Mr McKay):** The Committee now needs to consider the Bill formally on a clause-by-clause basis and agree its position on each clause and on the schedules to the Bill. Members may find it helpful to recap on the provisions of each clause and the issues that have arisen from the Committee Stage scrutiny before the Committee agrees its position on each clause.

#### ***Clause 1 (The Legal Services Oversight Commissioner for Northern Ireland)***

**The Chairperson (Mr McKay):** Clause 1 sets out the establishment of the LSOC. The Law Society and the Bar Council raised issues in respect of the clause to which DFP responded. Those responses are contained in the table of issues. The Committee also commissioned research on related issues.

*Question, That the Committee is content with the clause, put and agreed to.*

#### ***Clause 2 (General powers of the Commissioner)***

**The Chairperson (Mr McKay):** Clause 2 sets out the general powers of the commissioner relating to oversight of the complaints-handling processes of solicitors and barristers. The Committee, the Law Society and the Bar Council raised issues in respect of this clause to which DFP responded. The Department has provided clarification and assurance on a number of points, including a commitment to improve the narrative of the explanatory and financial memorandum (EFM). In light of the evidence from various stakeholders, including the Law Centre, the Scottish Legal Complaints Commission and Dr Hosier, the Committee agreed to propose amendments to ensure that information is collected on a number of complaints at the "first tier". The Department has accepted this proposal, which will require amendment to clause 2 and elsewhere in the Bill. The proposed amendment has been agreed with the Department.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

#### ***Clause 3 (Duty of certain bodies to consult Commissioner)***

**The Chairperson (Mr McKay):** Clause 3 requires the various organs of the Bar and the Law Society to consult the commissioner before making certain rules or

regulations. The Bar Council raised an issue in respect of the clause to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 4 (Duty of Commissioner to review certain matters)**

**The Chairperson (Mr McKay):** Clause 4 requires the commissioner to review and report on any matter relating to the regulation or organisation of the Law Society or the Bar that may be directed for consideration by DFP. The Law Society and the Bar Council raised an issue in respect of the clause to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 5 (The levy)**

**The Chairperson (Mr McKay):** Clause 5 sets out the requirement for a levy to be applied to the relevant professional bodies in order to fund the office of the LSOC. The Committee, the Law Society and the Bar Council raised issues in respect of the clause to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 6 (The levy: supplementary provisions)**

**The Chairperson (Mr McKay):** Clause 6 sets out conditions relating to the levy, which will be supplemented by regulations relating to the rate and when the levy is payable. The Committee raised an issue in respect of the clause to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 7 (Payments by Department)**

Clause 7 gives a power to the Department to pay to the commissioner such sums as it may determine, as appropriate, and gives the Department the power to determine those circumstances and the manner in which payment is made. No issues were raised in relation to the clause.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 8 (Privilege for certain publications)**

**The Chairperson (Mr McKay):** Clause 8 provides that any publication of the commissioner is considered to be absolutely privileged for the purposes of the law of defamation. The Committee raised an issue in respect of the clause, to which DFP responded, confirming that it would bring forward an amendment to take into account the Committee's view. The Committee is content with the wording of the amendment prepared by the Department.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

#### **Clause 9 (Lay observer)**

**The Chairperson (Mr McKay):** Clause 9 abolishes the office of Lay Observer for NI and repeals article 42 of the Solicitors (NI) Order 1976. It transfers the existing powers of the Lay Observer to the LSOC. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 10 (Interpretation of Part 1)**

**The Chairperson (Mr McKay):** Clause 10 defines certain terms used in Part 1 of the Bill. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 11 (Complaints procedures for barristers)**

**The Chairperson (Mr McKay):** Clause 11 relates to the regulatory arrangements for the handling of complaints against barristers. The Committee and the Bar Council raised issues to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 12 (Bar Complaints Committee)**

**The Chairperson (Mr McKay):** Clause 12 provides that the benchers of the Inn of Court must establish and maintain a Bar Complaints Committee to deal with any complaint made in relation to the professional services provided by a barrister. The Committee raised issues to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 13 (Jurisdiction of the Bar Complaints Committee)**

**The Chairperson (Mr McKay):** Clause 13 broadly defines what types of person are eligible to bring complaints to the Bar Complaints Committee and who may be the subject of a complaint. The Committee raised issues to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 14 (Excluded complaints)**

**The Chairperson (Mr McKay):** Clause 14 provides that a complaint does not fall within the jurisdiction of the Bar Complaints Committee unless the complainant has first used the respondent's in-house complaints procedure. The Committee raised issues to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 15 (Complainants)**

**The Chairperson (Mr McKay):** Clause 15 sets out further conditions relating to the eligibility of a complainant to have a complaint handled by the Bar Complaints Committee. The Committee raised issues to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 16 (Orders under section 15)**

**The Chairperson (Mr McKay):** Clause 16 empowers the Department to make an order, on the recommendation of either the Bar Complaints Committee or the LSOC, the effect of which is for new categories of complainants



to be included in or excluded from the scope of the Bar Complaints Committee. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 17 (Procedure for complaints)**

**The Chairperson (Mr McKay):** Clause 17 provides for the detailed framework for the Bar Complaints Committee scheme to be determined by rules to be made by the committee. It allows the committee the flexibility to adapt its procedures if required. The Committee and Dr Hosier raised the issue of an apparent conflict between the provisions in clause 17(4)(a) and clause 17(5)(a). The Department responded, confirming that it would bring forward an amendment along the lines outlined by the Committee. The Committee has agreed the draft amendment with the Department. The Committee raised other queries on which the Department provided clarification.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

#### **Clause 18 (Notification requirements)**

**The Chairperson (Mr McKay):** Clause 18 provides for the notification requirements to the Bar Complaints Committee where a complaint is excluded, dismissed, referred to another body, settled, withdrawn or abandoned and where the committee has determined a complaint. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 19 (Determination of complaints)**

**The Chairperson (Mr McKay):** Clause 19 makes provision for the Bar Complaints Committee powers in making a determination. The Committee, the Law Society and the Bar Council raised issues in respect of the clause to which DFP responded. In particular, an issue was identified regarding the need to facilitate bodies in making apologies. After confirming a willingness to consider an amendment, DFP provided a draft for consideration today that may be subject to slight changes. The Committee has agreed that it is content with the undertaking given by the Department to table the amendment to address the issue, and DFP can provide the final draft amendment for Committee consideration before Consideration Stage.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

#### **Clause 20 (Alteration of compensation limit)**

**The Chairperson (Mr McKay):** Clause 20 makes provision in respect of the Department amending the figures of £5,000 in clause 19. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 21 (Appeals)**

Clause 21 compels the Department to make regulations providing for appeals to the High Court against specified determinations of the Bar Complaints Committee. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 22 (Information and documents)**

**The Chairperson (Mr McKay):** Clause 22 empowers the Bar Complaints Committee to require parties to a complaint to produce information and/or documents. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 23 (Reporting failures to provide information or produce documents)**

**The Chairperson (Mr McKay):** Clause 23 provides for circumstances when a barrister has failed to cooperate with the Bar Complaints Committee as required by clause 22. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 24 (Enforcement of requirements to provide information or produce documents)**

**The Chairperson (Mr McKay):** Clause 24 provides for circumstances when a party other than a barrister has failed to cooperate with the Bar Complaints Committee as required by clause 22. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 25 (Reports of investigations)**

**The Chairperson (Mr McKay):** Clause 25 provides that the Bar Complaints Committee may publish a report about the investigation, consideration and determination of any case if it considers it appropriate. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 26 (Protection from defamation claims)**

**The Chairperson (Mr McKay):** Clause 26 makes provision placing Bar Complaints Committee proceedings and publications on a par with court proceedings for the purposes of the law of defamation. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 27 (Consultation requirements for Bar Complaints Committee rules)**

**The Chairperson (Mr McKay):** Clause 27 sets out the consultation requirements on the Bar Complaints Committee in relation to any rules it proposes to make. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 28 (Interpretation of Part 2)**

**The Chairperson (Mr McKay):** Clause 28 defines certain terms used in Part 2 of the Bill. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 29 (Complaints procedures for solicitors)**

**The Chairperson (Mr McKay):** Clause 29 relates to the regulatory arrangements for the handling of complaints against solicitors. The proposed amendments have been agreed with the Department.

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

**Clause 30 (Solicitors Complaints Committee)**

**The Chairperson (Mr McKay):** Clause 30 provides that the Law Society must establish and maintain a Solicitors Complaints Committee to deal with any complaint made in relation to the professional services provided by a solicitor. The Committee and the Law Society raised issues to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 31 (Jurisdiction of the Solicitors Complaints Committee)**

**The Chairperson (Mr McKay):** Clause 31 broadly defines what types of person are eligible to bring complaints to the Solicitors Complaints Committee and who may be the subject of a complaint. In relation to a solicitor, the respondent may also be, where appropriate, his or her firm. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 32 (Excluded complaints)**

**The Chairperson (Mr McKay):** Clause 32 makes provision for complaints that fall within the jurisdiction of the Solicitors Complaints Committee. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 33 (Complainants)**

**The Chairperson (Mr McKay):** Clause 33 sets out further conditions as to the eligibility of a complainant to have a complaint handled by the Solicitors Complaints Committee. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 34 (Orders under section 33)**

**The Chairperson (Mr McKay):** Clause 34 empowers the Department to make an order for new categories of complainants to be included in or excluded from the scope of the Solicitors Complaints Committee. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 35 (Continuity of complaints)**

**The Chairperson (Mr McKay):** Clause 35 makes provision to ensure that a complaint does not fail simply because of change in membership of the partnership or body against which the complaint is made. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 36 (Procedure for complaints)**

**The Chairperson (Mr McKay):** Clause 36 provides for the detailed framework for the Solicitors Complaints Committee scheme to be determined by rules to be made by the committee. It allows the committee the flexibility to adapt its procedures if required. The Committee and Dr Hosier raised the issue of an apparent conflict between the provisions in clause 36(4)(a) and clause 36(5)(a), which is similar to the issue raised at clause 17. DFP responded, confirming that it would bring forward an amendment. The Committee has agreed the draft amendment with the Department.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 37 (Notification requirements)**

**The Chairperson (Mr McKay):** Clause 37 provides for the notification requirements on the Solicitors Complaints Committee where a complaint is excluded, dismissed, referred to another body, settled, withdrawn or abandoned and where the committee has determined a complaint. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 38 (Determination of complaints)**

**The Chairperson (Mr McKay):** Clause 38 makes provision for the Solicitors Complaints Committee powers in making a determination. The Committee and the Law Society raised an issue in respect of the clause regarding the need to facilitate bodies in making apologies. The same issue was identified at clause 19. After confirming a willingness to consider an amendment, DFP provided a draft for consideration today — amendment 9 — that may be subject to slight changes. The Committee has agreed that it is content with the undertaking given by the Department to table this amendment to address the issue, and DFP can provide the final draft amendment for Committee consideration before Consideration Stage.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 39 (Alteration of compensation limits)**

**The Chairperson (Mr McKay):** Clause 39 makes provision in respect of the Department amending the figures of £5,000 in clause 38. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 40 (Appeals)**

**The Chairperson (Mr McKay):** Clause 40 compels the Department to make regulations providing for appeals to the High Court against specified determinations of the Solicitors Complaints Committee. Such regulations must be agreed by the Lord Chief Justice and must be laid before and approved by resolution of the Assembly. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 41 (Information and documents)**

**The Chairperson (Mr McKay):** Clause 41 empowers the Solicitors Complaints Committee to require parties to a complaint to produce information and/or documents. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 42 (Reporting failures to provide information or produce documents)**

**The Chairperson (Mr McKay):** Clause 42 provides for circumstances where a solicitor has failed to cooperate with the Solicitors Complaints Committee as required by clause 41. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 43 (Enforcement of requirements to provide information or produce documents)**

**The Chairperson (Mr McKay):** Clause 43 provides for circumstances when a party other than a solicitor has failed to cooperate with the Solicitors Complaints Committee as required by clause 41. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 44 (Reports of investigation)**

**The Chairperson (Mr McKay):** Clause 44 provides that the Solicitors Complaints Committee may publish a report about the investigation, consideration and determination of any case if it considers it appropriate. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 45 (Protection from defamation claims)**

**The Chairperson (Mr McKay):** Clause 45 makes provision placing Solicitors Complaints Committee proceedings and publications on a par with court proceedings for the purposes of the law of defamation. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 46 (Consultation requirements for Solicitors Complaints Committee rules)**

**The Chairperson (Mr McKay):** Clause 46 sets out the consultation requirements on the Solicitors Complaints Committee in relation to any rules it proposes to make. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 47 (The Solicitors Disciplinary Tribunal)**

**The Chairperson (Mr McKay):** Clause 47 varies the membership of the Solicitors Disciplinary Tribunal. It is currently constituted with a professional chair and a professional majority. This provision changes the membership to a professional chair and a lay majority. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 48 (Recognised bodies)**

**The Chairperson (Mr McKay):** Clause 48 provides that a number of references to recognised bodies in the chapter relating to complaints procedures of solicitors are references to bodies corporate under article 26A of the Solicitors (NI) Order 1976. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 49 (Interpretation of Part 3)**

**The Chairperson (Mr McKay):** Clause 49 defines certain terms used in Part 3 of the Bill. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 50 (Interpretation)**

**The Chairperson (Mr McKay):** Clause 50 defines certain terms used throughout the Bill. The Committee raised a number of queries to which the Department responded. Also, in light of the evidence from Dr Hosier, the Committee commissioned the Bill Office to prepare a draft amendment to provide for an independent review of the implementation of the legislation, and that was detailed as proposed amendment 1 at appendix 1. The Committee has decided to pursue that amendment, which will be tabled by the Committee at Consideration Stage.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

**Clause 51 (Further provision)**

**The Chairperson (Mr McKay):** Clause 51 provides for DFP to make transitional and savings provisions in connection with the coming into force of the Bill and sets out the order-making power of the Department and related Assembly control. The Committee raised an issue in respect of the clause to which DFP responded. Arising from the Examiner of Statutory Rules' scrutiny of the delegated powers in the Bill, the Department has indicated that it is content to table amendments to clause 51 to take account of the Examiner's points. The Committee has agreed the draft amendments that have been provided.

*Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.*

**Clause 52 (Minor and consequential amendments)**

**The Chairperson (Mr McKay):** Clause 52 introduces schedule 4, which contains amendments to other legislation in consequence of the provisions of the Bill. The Committee raised an issue to which the Department responded.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 53 (Repeals)**

**The Chairperson (Mr McKay):** Clause 53 introduces schedule 5, which contains repeals of other legislation in consequence of the provisions of the Bill. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 54 (Commencement)**

**The Chairperson (Mr McKay):** Clause 54 outlines the commencement provisions relating to the Bill. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Clause 55 (Short title)**

**The Chairperson (Mr McKay):** Clause 55 provides the short title for the legislation. No issues were raised.

*Question, That the Committee is content with the clause, put and agreed to.*

**Schedule 1 (The Legal Services Oversight Commissioner for Northern Ireland)**

**The Chairperson (Mr McKay):** Schedule 1 provides for the status, general powers, tenure of office and general staffing and procedural arrangements of the commissioner. The proposed amendments have been agreed with the Department.

*Question, That the Committee is content with the schedule, subject to the proposed amendments, put and agreed to.*

**Schedule 2 (The Bar Complaints Committee)**

**The Chairperson (Mr McKay):** Schedule 2 sets out the membership, terms of office, remuneration arrangements and procedural arrangements of the Bar Complaints Committee. The Bar Council raised an issue in respect of the schedule to which DFP responded.

*Question, That the Committee is content with schedule 2, put and agreed to.*

**Schedule 3 (The Solicitors Complaints Committee)**

**The Chairperson (Mr McKay):** Schedule 3 sets out the membership, terms of office, remuneration arrangements and procedural arrangements of the Solicitors Complaints Committee. The Committee and the Law Society raised issues in respect of the schedule to which DFP responded.

*Question, That the Committee is content with schedule 3, put and agreed to.*

**Schedule 4 (Minor and consequential amendments)**

**The Chairperson (Mr McKay):** Schedule 4 contains amendments to other statutory provisions that are consequential upon the Bill. No issues were raised.

*Question, That the Committee is content with schedule 4, put and agreed to.*

**Schedule 5 (Repeals)**

**The Chairperson (Mr McKay):** Schedule 5 contains repeals of various statutory provisions. No issues were raised.

*Question, That the Committee is content with schedule 5, put and agreed to.*

**Long Title**

**The Chairperson (Mr McKay):** The long title of the Bill is:

*"A Bill to make provision for the establishment of the office of the Legal Services Oversight*

*Commissioner ... to make provision as regards complaints against members of the legal profession ... and for connected purposes."*

*Question, That the Committee is content with the long title, put and agreed to.*

**The Chairperson (Mr McKay):** As to the next steps, the initial draft of the Committee's report on the Bill to the Assembly will be considered at next week's meeting, with a view to agreeing the final draft report on 9 December, before the Committee Stage expires on 18 December. Members may wish to consider whether they have any recommendations or requests for assurance that they wish to see included in the report.

Consideration Stage is a matter for the Minister to bring forward in line with the requirements set out in Standing Orders. The Department has indicated that that will be scheduled for mid-January 2016.

Any agreed Committee amendments will be required to be tabled in advance of Consideration Stage.

I thank Stephanie and Michael for their assistance.



# Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Northern Ireland Assembly

Friday 6 November 2015

## Written Answers to Questions

### Department of Agriculture and Rural Development

**Mr Byrne** asked the Minister of Agriculture and Rural Development, over the last twelve months, to detail the meetings her Department has had with the Livestock and Meat Commission for Northern Ireland regarding penalties imposed on livestock being brought to slaughter; and what subsequent action her Department will take to limit these penalties on producers.  
(AQW 49834/11-16)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Whilst my Department has not had any specific meetings with the Livestock and Meat Commission over the last twelve months regarding penalties imposed on livestock brought to slaughter, there are regular engagements with LMC on these issues and this was discussed recently at the Supply Chain Forum, at which the LMC was present.

Since early 2014, I have been actively engaged on an ongoing basis with a range of stakeholders across the agri-food supply chain, including farmers, processors, retailers and sectoral representative bodies to reach a resolution on penalties associated with out of specification livestock and, in particular, mixed origin meat. From the outset, I pressed NIMEA to work together with the other elements of the supply chain to determine a way forward on penalties for out of specification cattle and my department has facilitated marts in displaying residency information on cattle being sold through their businesses, where they choose to do so.

I also met with LMC in summer 2014 and was encouraged that they took the lead in developing a protocol for improved communication in the industry on specifications. It is important that the key elements of the supply chain maintain dialogue on these and any other issues causing concern to the livestock industry and for each element to play its part in resolving these.

To assist with this, I tasked the Agri-Food Strategy Board with establishing a Supply Chain Forum, where producers, processors and retailers across all sectors can come together to discuss issues affecting the industry, such as specifications. The Forum met for the first time on 14 October and my aim is that it will build trust and encourage communication between all elements of the supply chain to overcome any difficulties producers are facing.

Furthermore, on the issue of country of origin labelling, I have impressed on both Defra and the EU Commission, the need for flexibility for meat from the north to be labelled in line with our traditional marketing and trade practices. I am pleased that Defra Secretary of State, Liz Truss has offered her support in finding a solution. Commissioner Hogan is also confident that a suitable arrangement can be found within the EU rules for voluntary labelling. I have also been engaging with Minister Coveney on this issue. During the summer he indicated that he would liaise with the EU Commissioner about what labelling would be deemed acceptable. I have recently written to Minister Coveney seeking an update on his discussions.

I will continue to do what I can to support the competitiveness and profitability of our local livestock farmers and to encourage improved and transparent communications throughout the livestock supply chain.

**Mr Easton** asked the Minister of Agriculture and Rural Development whether Ash Dieback is present in the wider environment; and what steps her Department is taking to address the issue.  
(AQW 49910/11-16)

**Mrs O'Neill:** Ash Dieback has recently been detected in hedgerow ash at 3 locations in proximity to infected recently planted sites in the north of Ireland. Further surveys in 2016 will determine more fully the extent of any spread of Ash Dieback to established ash in the wider environment locally.

Since the first finding of the disease in autumn 2012, Forest Service Plant Health Inspection Branch has been proactive in managing the disease risk through implementing the All Ireland Chalara Control Strategy and to date have removed over 96,000 affected recently planted ash trees.

Scientists in AFBI are undertaking local research in order to understand the nature of the disease, and have engaged with European experts to gain a better understanding of the disease situation on the island of Ireland.

**Mr Swann** asked the Minister of Agriculture and Rural Development, pursuant to AQW 49681/11-16, in relation to the premature inclusion of project income from wind turbines in budgetary forecasts, to explain the rationale of the monetary figure aligned to the Department's Wind Farm Development Project in 2014/15.

**(AQW 50027/11-16)**

**Mrs O'Neill:** In the 2010 Comprehensive Spending Review (CSR) the Department included a budget figure of £1million for receipts anticipated in 2014/15 arising from its wind farm development plans. At that stage of the wind farm development work it was recognised that securing early revenue from wind turbines on Forest Service land by 2014/15 was possible but also challenging, due to the complexity of development work involved and obtaining the necessary approvals. As the development work progressed over the course of the CSR period it became clear that having turbines operational on Forest Service land within the timescale was not achievable. On this basis the Department adjusted its plans via the budget monitoring process to meet the £1million receipts from alternative commercial transactions, including granting access to wind farm developers across forest land and additional value timber sales.

**Mr Anderson** asked the Minister of Agriculture and Rural Development to detail the resources her Department has provided for FarmSafe Awareness training, in each of the last four years.

**(AQW 50063/11-16)**

**Mrs O'Neill:** DARD has provided FarmSafe Awareness sessions which were delivered by an external delivery agent as part of the Farm Family Options Collective Training Scheme under Axis 1 of the Rural Development Programme 2007 – 2013.

Seven external delivery agent staff were engaged in the administration of the FarmSafe Awareness sessions however these staff were not exclusively working on FarmSafe Awareness but were also engaged in the administration of other elements of the Rural Development Programme.

In addition to the external delivery agent staff, there were some 37 Environmental Trainers and 51 Focus Farmers trained to deliver the FarmSafe Awareness sessions. A total of £357,618 was expended on the administration and delivery of FarmSafe Awareness with a total of 292 sessions delivered across the country and 5,383 farm family members attending the sessions.

The table below details the number of courses delivered, the number of farm family members attending and associated expenditure over each of the last 4 financial years.

	2011-12	2012-13	2013-14	2014-15
Number of courses delivered	0	20	166	106
Number of people attending	0	238	3297	1848
Expenditure charged to the RDP programme	0	35,168.30	154,659.50	167,790.26

**Mr Anderson** asked the Minister of Agriculture and Rural Development what action her Department is taking to combat rural crime in the Upper Bann.

**(AQW 50064/11-16)**

**Mrs O'Neill:** Responsibility for tackling rural crime lies primarily with the PSNI, however DARD's Veterinary Service Enforcement Branch assists and advises the PSNI on a regular basis concerning agricultural crime.

DARD continues to work with the PSNI, the Department of Justice and representatives of the farming community on a number of joint initiatives including Farm Watch, the Freeze-branding initiative and the Crimestoppers Campaign.

Veterinary Service represents DARD on the steering group of a dedicated Rural Crime Unit which was set up by the PSNI. The Unit, jointly funded by the Department of Justice and NFU Mutual, is focusing on a range of issues from the identification of trends and patterns to the delivery of targeted initiatives. This multi-agency approach has led to the recovery of stolen animals and successful prosecutions in the north and the south. Veterinary Service Enforcement Branch assists particularly with the detection, tracing, recovery and identification of stolen livestock and has been using sophisticated DNA profiling techniques to verify the ownership of recovered animals.

The PSNI's quarterly updates on agricultural and rural crime show that the number of offences relating to agricultural activity has decreased significantly in recent years. Specific information about the Upper Bann area is available in these updates which are published by the NISRA.

**Mr Anderson** asked the Minister of Agriculture and Rural Development for her assessment of the effectiveness of FarmSafe Awareness training.

**(AQW 50076/11-16)**

**Mrs O'Neill:** Farm Safe Awareness events were practical two hour awareness sessions delivered by farmers for farmers. They offered practical demonstrations covering the everyday hazards faced by farmers and farming families. Topics covered included: working at height, slurry handling/risks, handling livestock and working with machinery.

Events were delivered locally by a network of dedicated trainers using a combination of Focus Farms and community venues ensuring accessibility, good geographic coverage and accommodating seasonal (weather) conditions.



The objectives were to raise awareness, improve farmers' attitudes, perceptions and personal safety practices, and to ultimately encourage actions that would make farms safer.

I am very encouraged by the work carried out. A recent survey confirms that 99% of respondents indicated they were likely to take workshop information home and do something with it and that the awareness sessions provided motivation for change. Additionally 91% of respondents indicated that attending FarmSafe Awareness had heightened their awareness of farm safety. This is very encouraging and shows that FarmSafe Awareness was a good initiative.

Farm Safety must be a partnership between farmers and authorities with willingness on all sides to facilitate change and make farming safer. Whilst government can provide the frameworks and funding, it falls to farmers to take action and reduce risk of accidents on their farms. Something I think that the Farm Safe Awareness achieved.

I am keen to ensure that the good work of Farm Safe Awareness continues and farm safety will be a key feature of the new Rural Development Programme 2014-2020. Farm safety awareness will be delivered under the new Farm Family Key Skills measure. Farm safety will also be a key topic for the Business Discussion Groups and will also form part of the assessment for entry to the Business Investment Scheme.

**Ms McCorley** asked the Minister of Agriculture and Rural Development for a breakdown of any investment, including capital her Department has made in West Belfast since May 2011.

**(AQW 50083/11-16)**

**Mrs O'Neill:** The Department of Agriculture and Rural Development has invested a total of £2,131,322 in the Belfast West Constituency from the May 2011 to 31 March 2015. This is broken down in the table below.

	2011/12* £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000	Total £'000
Single Farm Payment	255	182	202	85	724
Rural Development Programme Axis I – this includes programmes which improve the competitiveness of the agricultural and forestry industries	-	-	-	27	27
Rural Development Programme Axis II – this includes programmes which provide support to farmers who manage their land for positive environmental benefit	92	90	322	176	680
Rural Development Programme Axis III – this includes programmes which improve the rural economy and the quality of life in rural areas	-	20	222	115	357
Tackling Rural Poverty and Social Isolation	3	-	-	-	3
Drainage Infrastructure and Flood Alleviation	-	3	39	3	46
European Fisheries Fund	-	123	153	18	295
<b>Total</b>	<b>350</b>	<b>420</b>	<b>938</b>	<b>424</b>	<b>2,131</b>

\* The 2011/12 period has been reduced to reflect May 2011 to March 2012, in line with this request. All other years are complete financial years.

**Mr Swann** asked the Minister of Agriculture and Rural Development, in relation to the recognition of active farmer status, whether the requirement that individuals must present accounts up to 1 October 2015 prepared by an independent qualified accountant is a European Commission or departmental requirement.

**(AQW 50091/11-16)**

**Mrs O'Neill:** The date of 'up to 1 October 2015' is a departmental requirement.

One of the conditions for the allocation of entitlements under the Basic Payment Scheme is that applicants must be able to demonstrate that they have the decision making power, benefits and financial risks in relation to the agricultural activity on the land which they are claiming under the scheme. This is known as the 'active farmer' requirement.

My Department is currently assessing farm businesses who are considered to be provisionally 'non-active' and have found that further evidence needs to be provided from some of those businesses to enable it to make a determination.

Accounts presented up to 1 October 2015 would clearly demonstrate when, in 2015, the agricultural activity took place.

If applicants do not provide farm accounts they will not have breached any legal requirement, but it is likely to mean that they will not be able to demonstrate to the satisfaction of my Department that they meet the active farmer requirements, the

consequence being that the application would be rejected and no payment entitlements or associated payments would be issued to that farm business.

It is in the applicant's own interest to provide the information as soon as possible. Applicants can request more time to provide the farm accounts but the Department will not be able to make a decision on whether entitlements will be allocated to the business until they do so.

**Mr Weir** asked the Minister of Agriculture and Rural Development, pursuant to AQW 34925/11-15, to list the dates, since 13 November 2013, on which departmental officials met with their counterparts from the Republic of Ireland to advance a ban on wild animals in circuses.

**(AQW 50156/11-16)**

**Mrs O'Neill:** I previously advised the Assembly on 11 March 2015, during my answer to your Assembly Question on this issue, that I remain open to the possibility of a ban on the use of wild animals in travelling circuses. However, legislation can only be introduced if there is a need to do so and, if a ban is to be introduced under animal welfare legislation, welfare issues must be identified and supported by evidence. I would need to be assured of the merit of such legislation and that such a ban is justified. To date no such evidence or reassurance that a ban is merited has emerged, therefore my officials have not met with their counterparts in the south of Ireland to advance a ban on wild animals in circuses here.

My officials continue to work with officials from the Department of Agriculture, Food and the Marine (DAFM) in the south with a view to adopting a code of practice on an all-island basis. The purpose of a code of practice would be to ensure that operators are clear about their responsibilities to ensure that the welfare of animals is protected.

My officials met with their DAFM counterparts under the auspices of the North South Animal Welfare and Transport Working Group on 5 September 2013, 19 March 2014, 24 July 2014, 29 September 2014 and 10 July 2015. The issue of circuses is a standing agenda item at these meetings. My officials also have ongoing contact with their DAFM counterparts on this issue in addition to the formal meetings.

**Mr Weir** asked the Minister of Agriculture and Rural Development, pursuant to AQW 34925/11-15, how many people are in the departmental team or working group put in place to advance a ban on wild animals in circuses.

**(AQW 50157/11-16)**

**Mrs O'Neill:** My Department does not have a team or working group in place to advance a ban on wild animals in circuses here. However officials from my Department's Central Policy Group and Veterinary Service represent my Department on the North South Animal Welfare and Transport Working Group. The issue of circuses is a standing item on the agenda of the meetings of this working group. These officials also have ongoing contact with their Department of Agriculture, Food and the Marine counterparts on this issue in addition to the formal meetings.

**Mr Lunn** asked the Minister of Agriculture and Rural Development to outline the work her Department has carried out on the impact on farmers' subsidies of the UK leaving the European Union.

**(AQO 8975/11-16)**

**Mrs O'Neill:** This is an important issue and I have asked my Department to begin considering the impact of a potential British exit from the EU on Agriculture and Rural life in the north.

Clearly, an exit from the EU would mean direct payments from the EU would stop.

However in assessing the overall impact there are a great many uncertainties surrounding a potential exit not least the timing of the withdrawal.

There are key uncertainties around the type of trade arrangements with the EU and the rest of the world that could be negotiated following a withdrawal of EU Membership. Of particular significance is whether there would be tariff free access to EU markets for agricultural products and vice versa.

If direct payments from the EU stopped it would not be feasible for the Executive to fund these payments at current levels from the block grant unless additional money was forthcoming from the Treasury.

I do not need to tell you that the British Government has long wanted to reduce the level of support going to farmers. They do not regard direct payments to farmers as value for money. I believe the Treasury would be unsympathetic to calls for some of the money saved from withdrawing as a member of the EU to be used to maintain direct support to farmers at current levels.

I believe that a significant reduction in direct support would leave many of our farmers in real long term financial difficulty. A faster rate of structural change in the industry would be inevitable. Small farms would be likely to suffer the most. There would be knock on effects for rural communities and the environment.

**Mr McAleer** asked the Minister of Agriculture and Rural Development how many jobs were created by the Rural Development Programme 2007-2013.

**(AQO 8976/11-16)**

**Mrs O'Neill:** The LEADER element for the 2007-2013 Rural Development Programme launched in 2009. Shortly afterwards we were hit with the economic downturn that led to extremely difficult conditions to be trying to implement LEADER. However I am delighted to confirm today that despite these difficulties LEADER has now created just over 1,000 rural jobs.

This is a great achievement in a very challenging period and I want to thank the Local Action Groups for all their efforts that have resulted in this achievement. This has created local rural jobs at a time when they were badly needed and have helped rural communities when they needed it most.

It is because of this that I have made job creation one of the key objectives of the economic theme of the LEADER element of the programme going forward. We have a challenging target of 700 jobs, but I think with the involvement of the Local Action Groups and the knowledge they can bring to the table, I am confident that we will exceed this target.

**Mr Gardiner** asked the Minister of Agriculture and Rural Development how many staff in her Department will leave through the Voluntary Exit Scheme in 2015.

**(AQO 8977/11-16)**

**Mrs O'Neill:** My Department is required to achieve savings of 15.1% or £29.9m this year. As over 50% of the DARD budget relates to staff costs, a reduction of 300 full-time equivalent (FTE) staff is required to address significant budget pressures in the context of the agreed 2015/16 Budget.

At this stage, a total of 291 staff will leave under the first three tranches of the Scheme. This represents 232 full time equivalent staff. To date there is a broad spread of acceptances across grades and business areas.

In terms of a further breakdown, 105 staff left the Department in the first Tranche at the end of September and a further 81 staff will exit under Tranche 2 at the end of November. Offers under Tranche 3 had to be accepted by last Friday and a further 105 staff have accepted and will leave on 31 January 2016.

My Department is continuing to work towards the target of 300 and subsequent exits will take place in March 2016.

Whilst the scale of the staff reductions will have an impact on services, the Department is conducting a number of reviews to its customer contact, advisory and inspection services delivery models and corporate services, also looking at how best use can be made of digital technology. These reviews will determine how the current services can continue to be effectively delivered with a reduced workforce and will also allow us to better join up policy and delivery, streamline our corporate services and transact more business online.

Departmental priorities will be taken forward along with front line services and when the reviews are complete, the Department will consult with its stakeholders as to the most appropriate model for service delivery and ensure existing resources are maximised accordingly.

**Ms Hanna** asked the Minister of Agriculture and Rural Development for an update on the local development of the Department of Environment, Food and Rural Affairs' Flood Re insurance scheme.

**(AQO 8978/11-16)**

**Mrs O'Neill:** The development of new proposals in relation to flood Insurance is a reserved matter, led by the Department for Environment, Food and Rural Affairs (DEFRA). To ensure the Scheme is appropriate to the level of flood risk here officials from Rivers Agency have been liaising with the Association of British Insurers, DEFRA and officials from Departments in England, Scotland and Wales throughout the whole process of setting up the 'Flood Re' Scheme.

Rory Stewart, Parliamentary Under Secretary of State for Environment and Rural Affairs has confirmed that the Flood Re organisation is now in place, and the necessary regulations establishing how the scheme will be administered and funded having been laid before Parliament.

Rivers Agency has been involved in discussions with DEFRA to develop the necessary policy and data transfer arrangements to ensure, this scheme is workable here. Land and Property Services, which is part of DFP, have also played a role providing property value data which will be used to limit the flood insurance element of premiums for those least able to pay.

It is anticipated that the scheme will be publicly available early in 2016.

**Mr Flanagan** asked the Minister of Agriculture and Rural Development what actions were identified following the recent meeting of the Supply Chain Forum.

**(AQO 8979/11-16)**

**Mrs O'Neill:** I had the great pleasure of participating in the first meeting of the Supply Chain Forum on 14 October 2015, at the new Food Innovation Centre at Loughry Campus.

The meeting was well attended with approximately 100 delegates from right across the agri-food chain, representing a broad range of sectors. I chaired the opening debate at the Forum to give all stakeholders the opportunity to raise issues at the outset which could be taken forward by the Forum. The discussions were open, honest, and most importantly, positive about the direction that the industry must take.

There was a clear commitment to improving communication along the supply chain and a desire to explore work streams which might better place the industry at a competitive advantage and provide further resilience against the volatility to

which the agri-food industry is subject. Themes discussed at the break-out sessions included contracts, sustainability and opportunities for enhanced north/south collaboration. I would expect to see some of these ideas further developed at future meetings.

I believe that, as positive as the first event was, the true merit of the Supply Chain Forum will be in how any agreed actions are progressed. I know that plans are already underway for the next meeting of the Forum which I look forward to. I intend to remain closely involved in the Forum.

**Mr Somerville** asked the Minister of Agriculture and Rural Development to outline any discussion she has had with the Minister of Justice and the PSNI in relation to rural crime in Fermanagh and South Tyrone.

**(AQO 8980/11-16)**

**Mrs O'Neill:** I am very aware of the real concern that crime causes amongst the farming community, including the number of thefts from farms.

Responsibility for tackling rural crime lies primarily with the Department of Justice. I met with the Chief Constable and the Minister of Justice on a number of occasions to discuss rural crime issues including farm-related rural crime. I made them aware of my concerns, explained the worry this was causing in rural areas and highlighted the need for action.

My Veterinary Service Enforcement Branch works closely with the PSNI in Fermanagh, South Tyrone and across the north to counter animal-related theft and fraud. Together they have carried out a number of successful operations resulting in several successful prosecutions. Veterinary Service assists particularly with the detection, tracing, recovery and identification of stolen livestock and has been using sophisticated DNA profiling techniques to verify the ownership of recovered animals.

Veterinary Service Enforcement Branch and the PSNI also share intelligence and jointly investigate incidents with the Department in the south and with An Garda Síochána.

A DARD representative now sits on the PSNI Rural Crime Unit Steering Group and DARD helps to train police officers in livestock identification and movement documentation.

DARD also works 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.

Rural crime causes great stress amongst the farming community. I encourage anyone who has information which might help us combat this threat to rural businesses to report suspicions to my Department or the PSNI.

**Mr Givan** asked the Minister of Agriculture and Rural Development to outline the support her Department is providing to farmers in financial difficulty as a result of the crisis in the agriculture industry.

**(AQO 8981/11-16)**

**Mrs O'Neill:** I have been working for over a year with industry and political representatives at home, in Dublin, Britain and Europe to press the case for immediate support for our local industry. As you know I have secured £5.1million for local dairy farmers as part of the EU Targeted Aid Package. Included in this payment is an additional £1.1m top-up in recognition of the unique and specific difficult circumstances faced by dairy farmers here.

I am also committed to making Direct Payments to as many farmers as possible in December 2015.

At a practical level, I have been meeting with the banks and feed companies and encouraged them to be as proactive, sympathetic and flexible as possible. My advisers have also been providing on-farm workshops, technical articles and awareness events.

At recent meetings with DEFRA, Scottish and Welsh Ministers and with Commissioner Hogan I have discussed a range of other measures that could help strengthen the industry's foundations and help it manage global volatility in the medium to longer term. These include supporting fairness in the supply chain, promoting public procurement, opening new markets, and establishing futures markets.

I have tasked the Agri-Food Strategy Board with creating a Supply Chain Forum and participated in the Forum's first meeting on 14 October. My goal for the forum is to encourage the industry to work together in addressing the significant challenges across all farm sectors.

I and my officials are also working hard to stimulate export growth and open up new markets with a measure of success.

Finally, support for knowledge transfer, innovation, cooperation and capital investment will be available under the Rural Development Programme, including the proposed Farm Business Improvement Scheme (FBIS). The first phase of the FBIS, knowledge transfer through Business Development Groups will be formally launched in November.

**Mr Lyttle** asked the Minister of Agriculture and Rural Development to outline the resources allocated to ensure that low cost grass production systems are available to farmers.

**(AQO 8982/11-16)**



**Mrs O'Neill:** I am very committed to ensuring that all livestock farmers across the north are fully aware of the benefits of low cost grass production systems.

The College of Agriculture, Food and Rural Enterprise (CAFRE) delivers a comprehensive programme of education, industry training and demonstration of technologies leading to adoption of grass and silage production systems.

The farming systems demonstrated by the College farm to students and the industry have a major grass or grass-clover focus. This includes making use of DARD recommended variety lists, demonstrating reseeding techniques and land management improvement through draining, sub soiling and aeration. These are all focused on increasing the production and utilisation of quality grass.

From 1 April 2014 to the current date, CAFRE has delivered 35 training events, aimed at improving performance from grass, to 1150 dairy farmers and 54 training events to 1300 beef and sheep farmers. In addition to this there are currently 5 knowledge and technology transfer projects being demonstrated to farm businesses which have a focus on grass production and grassland management.

In addition AFBI has a long track record of developing low cost grass production systems. It is well recognised that grass as a feed for livestock is the cheapest nutritional source available to dairy, beef and sheep enterprises and my Department, through the commissioning of research, has always sought to ensure grass-based production has been a focus of research.

**Mr Ó hOisín** asked the Minister of Agriculture and Rural Development how small businesses in the former Limavady & Coleraine Borough Council areas will benefit from the roll out of the new Rural Business Investment scheme.  
(AQO 8983/11-16)

**Mrs O'Neill:** Local Action Groups are currently drafting their Local Rural Development Strategies. It is up to each LAG to assess the need in their area under 4 different schemes, the Rural Business Investment Scheme being one of them. Once they have assessed need they must then clearly prioritise the allocation of funding that they have to address that need.

As job creation is one of the key objectives of the economic theme of the LEADER element of the programme going forward, I would expect that each LAG would see this as one of their primary objectives.

The scheme itself will provide capital grant to help micro and small businesses create jobs in all rural areas across the north. The request for grant by an applicant is a 2 stage process. Firstly applicants must attend a funding workshop where they will be given advice on eligibility and pre application documentation that they need to have before applying for funding, such as a business plan. Once workshops are complete in a LAG area the LAG will advertise that it is open to receive online applications.

This two stage process should increase the number of successful applications and reduce the amount of time wasted processing unrealistic ones. Our aim is to process all applications to a funding decision within 90 days of receipt.

## Department of Culture, Arts and Leisure

**Mr Allen** asked the Minister of Culture, Arts and Leisure when the various strands of the Sub Regional Football Fund will be released; and to detail the amount allocated to each strand.  
(AQW 49596/11-16)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I aim to commence a 12 week public consultation exercise on the proposals for the sub regional programme for soccer at the end of November 2015.

In order to ensure that the funding programme addresses the strategic needs of football, it is envisaged that the Sub Regional Programme will be divided into a number of distinctive strands. Partnership funding is also being proposed.

However, until the outcome of the forthcoming public consultation exercise, it is not possible to confirm the specific amount that will be allocated to each strand.

**Mr McCausland** asked the Minister of Culture, Arts and Leisure to detail the organisations which received funding through the Cultural Programme; and the amount of funding each organisation received, in (i) 2013-14; and (ii) 2014-15.  
(AQW 49986/11-16)

**Ms Ní Chuilín:** The Cultural Programme funding allocated in each year was as follows:

2013/14	
Feile An Phobail	£254,000
McCracken Cultural Society	£115,000
Belfast Film Festival	£110,000

<b>2014/15</b>	
Feile An Phobail	£200,000
Arts Ekta	£35,000
Spectrum	£35,000
Belfast Film Festival	£35,000
Duncairn Arts Centre	£35,000
Ardoyne Community Association	£10,000

In addition, Eastside Arts received funding in these years from a separate funding stream to enable them to develop their plans and strategy and are now one of the Cultural Partners in 2015/16.

**Mr McCausland** asked the Minister of Culture, Arts and Leisure (i) when the Cultural Programme was advertised; (ii) how it was advertised; (iii) the closing date for applications; and (iv) the criteria for assessing applications, in (i) 2013-14; and (ii) 2014-15.

**(AQW 49987/11-16)**

**Ms Ní Chuilín:** The Culture Programme was first run in 2013 to coincide with the World Police and Fire Games and included offerings from the Department's Arms Length Bodies, PRONI and also incorporated cultural events from the three established Belfast festivals. The Culture Programme Partners also made similar presentations to DETI, NITB and Belfast City Council.

Cultural programme funding in 2013/14 and 2014/15 was allocated and subsequently approved following receipt of business cases for the expenditure which was clearly aligned to Departmental priorities.

**Mr McCausland** asked the Minister of Culture, Arts and Leisure to detail the total amount of money allocated through the Cultural Programme in (i) 2013-14; and (ii) 2014-15.

**(AQW 49989/11-16)**

**Ms Ní Chuilín:** The total amount allocated to the Cultural Programmes in 2013/14 and 2014/15 is broken down as follows:

<b>2013/14</b>	
Feile An Phobail	£254,000
McCracken Cultural Society	£115,000
Belfast Film Festival	£110,000

  

<b>2014/15</b>	
Feile An Phobail	£200,000
Arts Ekta	£35,000
Spectrum	£35,000
Belfast Film Festival	£35,000
Duncairn Arts Centre	£35,000
Ardoyne Community Association	£10,000

In addition, Eastside Arts received funding in these years from a separate funding stream to enable them to develop their plans and strategy and are now one of the Cultural Partners in 2015/16.

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 49531/11-16 and in relation to the concerns raised by a sports promoter in 2006 -2008, whether the finding by her Department in October 2008 of insufficient evidence to substantiate allegations still stands in light of the NI Audit Office report.

**(AQW 49994/11-16)**

**Ms Ní Chuilín:** No further evidence in respect of these allegations was presented in the NI Audit Office report.

**Mr Allister** asked the Minister of Culture, Arts and Leisure why staff of, or contractors for, Waterways Ireland were recently engaged in cutting trees and shrubbery on property at 160 Vow Road, Ballymoney, without either notice to, or consent from, the owner occupier.

**(AQW 50011/11-16)**

**Ms Ní Chuilín:** Waterways Ireland engaged a contractor to remove fallen trees, trim back trees and scrub which were overhanging the navigation channel at Movinagher canal. As part of this work Waterways Ireland cut trees and shrubbery which were overhanging the navigation channel and emanating from 160 Vow Road, Ballymoney in accordance with its powers set out in Part III Article 41 (1) of The Water (Northern Ireland) Order 1999 - Power of Department to carry out works and provide facilities in relation to the waterways. In the case of the works at or about Movinagher canal these have been undertaken from floating plant operating from the waterway.

The powers set out in Part III of The Water (Northern Ireland) Order 1999 (except Articles 47 and 53 to 56) and Schedules 4 and 5 of that Order are transferred to Waterways Ireland by Schedule 3 (2) of The North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999.

There is no legislative requirement for Waterways Ireland to give notice to or seek consent from neighbouring property owners/occupiers where Waterways Ireland is carrying out its statutory powers on its own property.

**Mr Allister** asked the Minister of Culture, Arts and Leisure what powers of Waterways Ireland has to enter unannounced and without permission carry out works on private property.

**(AQW 50012/11-16)**

**Ms Ní Chuilín:** With regards to entering private property to carry out works, Waterways Ireland is bound by Part III, Articles 51 and 52 of The Water (Northern Ireland) Order 1999 - Powers of entry and inspection.

The powers set out in Part III of The Water (Northern Ireland) Order 1999 (except Articles 47 and 53 to 56) and Schedules 4 and 5 of that Order are transferred to Waterways Ireland by Schedule 3 (2) of The North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999.

**Mr Weir** asked the Minister of Culture, Arts and Leisure what assessment or evaluation has been undertaken on the funding of new minibuses to sports, voluntary and community organisations under the Tackling Poverty initiative.

**(AQW 50013/11-16)**

**Ms Ní Chuilín:** Post Project Evaluations (PPEs) for the provision of minibuses to sports, voluntary and community organisations in the Greater Belfast area will be submitted to the Department in line with the specific conditions of the Letters of Offer; this will be by December 2015.

PPEs for the minibuses provided to organisations in the North West have already been submitted to the Department. PPEs are reviewed within the Department to ensure that objectives and targets were met and value for money was achieved.

**Mr Weir** asked the Minister of Culture, Arts and Leisure what is the timescale for any assessment of the provision of funding for minibuses for sports or community groups under the Tackling Poverty initiative.

**(AQW 50014/11-16)**

**Ms Ní Chuilín:** Post Project Evaluations (PPEs) for the provision of minibuses to sports, voluntary and community organisations in the Greater Belfast area will be submitted to the Department in line with the specific conditions of the Letters of Offer; this will be by December 2015.

PPEs for the minibuses provided to organisations in the North West have already been submitted to the Department. PPEs are reviewed within the Department to ensure that objectives and targets were met and value for money was achieved.

**Mr Weir** asked the Minister of Culture, Arts and Leisure what level of funding is available under the Tackling Poverty initiative to sports or community groups seeking to purchase a minibus.

**(AQW 50015/11-16)**

**Ms Ní Chuilín:** All of the activity supported by my Department is focussed on the Promoting Equality , Tackling Poverty and Social Exclusion (PETPSE) agenda, aimed at improving the lives of those most in need. This includes the activity undertaken directly by the Department and that of our Arm's Length Bodies.

There is no specific grant scheme administered by my Department in relation to PETPSE as this agenda underpins all departmental activity and is the central driving force to DCAL's core functions.

In 2014/15 under the PETPSE agenda, the Department funded a pilot Community Minibus Scheme. The aim of the scheme was to provide transport to a range of community-based organisations that have been excluded from undertaking certain activities due to the unavailability or expense of transport.

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 49458/11-16, when the outcome of the formal investigation is expected to be completed; and when she will be in a position to comment further.

**(AQW 50028/11-16)**

**Ms Ní Chuilín:** The investigation into this fish kill was commissioned by Inland Fisheries Ireland (IFI).

My officials are currently in discussions with IFI and the authors on the release of report to the public.

It is expected that the report will be released to the public upon completion of these discussions.

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure how the value of the Euro has affected the budget of Waterways Ireland in each of the last three years.

**(AQW 50029/11-16)**

**Ms Ní Chuilín:** I am informed by Waterways Ireland that its annual sterling requirement (to fund operations in the north and its Headquarters unit in Enniskillen) is around £5m per year.

The Body's annual budget is agreed in Euro and, since sterling has strengthened against the euro in recent years, this has created budget pressures for the Body – as compared to 2013 - of 290k euro in 2014 and of 875k euro (forecast) in 2015. Waterways Ireland's annual current budget is in the region of 23,750k euro.

While I acknowledge that managing these pressures is difficult, the budget position faced by Waterways Ireland is no worse than that facing my Department and most of its other arm's length bodies.

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure to detail the amounts in (i) financial terms; and (ii) percentage terms of the budget in Waterways Ireland that is set aside for pension payments for former staff; and whether this is comparable with other bodies.

**(AQW 50030/11-16)**

**Ms Ní Chuilín:** The table overleaf has been provided by Waterways Ireland and sets out the amount of pension payments set aside for former staff in financial terms and as a percentage against the Body's total annual budget.

The figures are provided in Euros, the working currency of Waterways Ireland and are shown by calendar year which is the financial year for the body.

The pension liabilities are paid from the resource budget as agreed with the Business Plans. The total resource budget was subject to efficiency savings until 2015. For 2016, the Finance Departments have agreed that new pension liabilities should be exempt from efficiency savings. From 2017, all pension liabilities will be exempt from efficiency savings.

#### Pensions Payments

	2013	2014	2015 (projected)
<b>Total Payments (EURO)</b>	<b>1,392,875</b>	<b>1,616,470</b>	<b>2,206,145</b>
DAHG Payments (EURO)	1,297,064	1,488,277	1,863,054
DCAL Payments (EURO)	95,811	128,193	343,091
<b>Annual Budget (EURO) - including capital</b>	<b>29,473,063</b>	<b>28,039,203</b>	<b>27,115,160</b>
<b>Pension as % of Annual Budget</b>	<b>4.73%</b>	<b>5.77%</b>	<b>8.14%</b>

Waterways Ireland is not in a position to determine if this is comparable to other bodies, but comparisons would, in any case, be difficult since payments reflect lengths of service and other factors which may not be similar across other organisations.

**Mr Allister** asked the Minister of Culture, Arts and Leisure to list the papers published by Bushmills salmon research station; and where can these papers be accessed.

**(AQW 50080/11-16)**

**Ms Ní Chuilín:** DCAL and AFBI officials based at the Bushmills Salmon Station produce various Fisheries statistics which are in the public domain (Annex A). In addition to this, the Fisheries Digest, compiled by NISRA, contains much information on the work carried out at Bushmills and is accessible to the public through the DCAL website.

Data on salmon stocks collected by Bushmills Salmon Station is used for the international management of salmon by NASCO (North Atlantic Salmon Conservation Organisation). Reports are published annually through the International Council for the Exploration of the Sea (ICES) Website. <http://www.ices.dk/community/groups/Pages/WGNAS.aspx>

Salmon Datasets from the Bush and other rivers in the DCAL area are published online. [http://www.dcalni.gov.uk/fisheries\\_digest\\_2015\\_\\_2013\\_data\\_.pdf](http://www.dcalni.gov.uk/fisheries_digest_2015__2013_data_.pdf)

Previous copies of the Salmon and Inland Fisheries Annual Report have been deposited in the Assembly Library.

#### Annex A

**Peer-Reviewed Published Scientific Research from or in conjunction with Bush Station (last 5 years). All published and in public domain.**

E. de Eyto, J. White, P. Boylan, B. Clarke, D. Cotter, D. Doherty, P. Gargan, R.J. Kennedy, P. McGinnity, N. O'Maoiléidigh, K. O'Higgins. (2014). The fecundity of wild Irish Atlantic salmon *Salmo salar* L. and its application for stock assessment purposes. *Fisheries Research* **164**, 159-169.



Ensing, D., Crozier, W. W., Boylan, P., O'Maoiléidigh, N. & McGinnity, P. (2013). An analysis of genetic stock identification on a small geographical scale using microsatellite markers, and its application in the management of a mixed-stock fishery for Atlantic salmon *Salmo salar* in Ireland. *Journal of Fish Biology* **82**, 2080-2094.

Kennedy, R. J., Johnston, P. and Allen, M. (2014). Assessment of a catchmentwide salmon habitat rehabilitation scheme on a drained river system in Northern Ireland. *Fisheries Management and Ecology* **21**, 275–287. doi: 10.1111/fme.12077

Otero, J., L'Abée-Lund, J., Castro-Santos, T., Leonardsson, K., Storvik, G., Jonsson, B., Dempson, B., Russell, I., Jensen, A., Baglinière, J., Dionne, M., Armstrong, J., Romakkaniemi, A., Letcher, B., Kocik, J., Erkinaro, J., Poole, R., Rogan, G., Lundqvist, H., MacLean, J., Jokikokko, E., Arnekleiv, J., Kennedy, R. J., Niemelä, E., Caballero, P., Music, P., Antonsson, T., Gudjonsson, S., Veselov, A., Lamberg, A., Groom, S., Taylor, B., Taberner, M., Dillane, M., Arnason, F., Horton, G., Hvidsten, N., Jonsson, I., Jonsson, N., McKelvey, S., Næsje, T., Skaala, Ø., Smith, G., Sæggrov, H., Stenseth, N. & Vøllestad, L. (2014). Basin-scale phenology and effects of climate variability on global timing of initial seaward migration of Atlantic salmon (*Salmo salar*). *Global Change Biology*. **20**, 61-75.

Kennedy, R.J., Moffet, I., Allen, M.M. & Dawson, S. (2013). Upstream migratory behaviour of wild and ranched Atlantic salmon *Salmo salar* at a natural obstacle in a coastal spate river. *Journal of Fish Biology* **83**, 515–530.

Keenan, K., Bradley, C., Magee, J., Hynes, R., Kennedy, R. J., Crozier, W. W., Poole, R., Cross, T., McGinnity, P., **Prodöhl, P.** (2013). Beaufort trout MicroPlex: a high throughput multiplex platform comprising 38 informative microsatellite loci for use in resident and anadromous (sea trout) brown trout *Salmo trutta* genetics studies. *Journal of Fish Biology* **82**, 1789-1804.

Kennedy, R.J., Crozier, W.W., Allen, M.M (2012). The effect of stocking 0+ year age class Atlantic salmon fry: a case study from the River Bush, Northern Ireland. *Journal of Fish Biology*, **81**(5):1730-1746.

Kennedy, R.J., Rosell, R.S., Hayes, J. (2012). Recovery patterns of salmonid populations following a fish kill event on the River Blackwater, Northern Ireland. *Fisheries Management and Ecology*, **19**(3):214-223.

Russell, I., Aprahamian, M., Barry, J., Davidson, I., Fiske, P., Ibbotson, A. T., Kennedy, R. J., Maclean, J., Moore, A., Otero, J., Potter, E., and Todd, C. D. (2012). The influence of the freshwater environment and the biological characteristics of Atlantic salmon smolts on their subsequent marine survival. *ICES Journal of Marine Science*, **69**: 1563–1573.

Kennedy, R.J., Crozier, W.W. (2010). Evidence of changing migratory patterns of wild salmon *Salmo salar* smolts in the River Bush, Northern Ireland, and possible associations with climate change. *Journal of Fish Biology*, **76**(7):1786-1805

List of Recent NI ICES Salmon Working Papers;

D. Ensing, R.J. Kennedy , W. W. Crozier & Boylan P. (2015). Summary of salmon fisheries and status of stocks in Northern Ireland for 2014. International Council for the Exploration of the Sea Working Group on North Atlantic Salmon. March 2015; Working Paper.

D. Ensing, R.J. Kennedy , W. W. Crozier & Boylan P. (2014). Summary of salmon fisheries and status of stocks in Northern Ireland for 2013. International Council for the Exploration of the Sea Working Group on North Atlantic Salmon. March 2014; Working Paper.

D. Ensing, R.J. Kennedy , W. W. Crozier & Boylan P. (2013). Summary of salmon fisheries and status of stocks in Northern Ireland for 2012. International Council for the Exploration of the Sea Working Group on North Atlantic Salmon. March 2013; Working Paper 00.

D. Ensing, R.J. Kennedy , W. W. Crozier & Boylan P. (2012). Summary of salmon fisheries and status of stocks in Northern Ireland for 2011. International Council for the Exploration of the Sea Working Group on North Atlantic Salmon. March 2012; Working Paper.

D. Ensing, R. Kennedy , W. W. Crozier & Boylan P. (2011). Summary of salmon fisheries and status of stocks in Northern Ireland for 2010. International Council for the Exploration of the Sea Working Group on North Atlantic Salmon. March 2011; Working Paper 07.

R. J. Kennedy , W. W. Crozier & Boylan P. (2010). Summary of salmon fisheries and status of stocks in Northern Ireland for 2009. International Council for the Exploration of the Sea Working Group on North Atlantic Salmon. March 2010 Working Paper.

R. J. Kennedy , W. W. Crozier & Boylan P. (2009). Summary of salmon fisheries and status of stocks in Northern Ireland for 2008. International Council for the Exploration of the Sea Working Group on North Atlantic Salmon. March 2010 Working Paper 02.

R. Kennedy , W W Crozier & Boylan P. (2008). Summary of salmon fisheries and status of stocks in Northern Ireland for 2007. International Council for the Exploration of the Sea Working Group on North Atlantic Salmon. April 2008 Working Paper 19.

R. Kennedy , W W Crozier and N. O'Maoileidigh (2008). The Assessment of Recent Fishery Management Measures on Salmon Stocks in the River Bush and in Northern Ireland with context to adjacent Regions. International Council for the Exploration of the Sea Working Group on North Atlantic Salmon. April 2008 Working Paper 20.

**Mr Campbell** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 49204/11-16, what is the proposed timescale for the refurbishment and replacement programme of library buildings.  
(AQW 50082/11-16)

**Ms Ní Chuilín:** Libraries NI has informed me that the refurbishment and replacement programme for library buildings listed in my answer to AQW 49204/11-16 forms part of a forward work plan for the organisation's Assets section over the next 5 years, ie 2015-2020. Precise timescales for individual libraries listed are yet to be confirmed. These remain conditional on a range of variables including the availability of capital funding, the negotiation of successful outcomes with partnering organisations and the preparation and approval of business cases.

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 49531/11-16, with the exception of the concerns raised in August 2004 and those of late 2006, how each of these matters were resolved.  
(AQW 50093/11-16)

**Ms Ní Chuilín:** In line with the company's complaints policy, the Department referred each of these matters to the Chair of the NIEC Board for resolution. It is not aware of how they were resolved. The Member will be very aware that these events occurred before my time as Minister and subsequently transferred to DETI.

**Mr McAleer** asked the Minister of Culture, Arts and Leisure what support her Department could provide to a walking and cycling trek between Gortnagarn and Gortin, Omagh.  
(AQO 8991/11-16)

**Ms Ní Chuilín:** The work to establish a walking, cycling and mountain biking trail at Gortin Forest Park is the result of a collaborative effort between the Department of Agriculture and Rural Development, Omagh Council and Outdoor Recreation NI.

My Department through Sport NI has provided around eight hundred and thirty thousand pounds to Outdoor Recreation NI over the past three years and has approved a business case for the period through to the year 2020 for a further six hundred thousand pounds. This funding supports the aims of the Our Great Outdoors Action Plan that aims to increase access to the great outdoors for recreational, sporting and health enhancing activities.

I am aware of the recent 'Join us up' initiative by the local community in the Gortnagarn and Gortin area and am supportive of the plans to explore the development of an off- road route that would join the two communities to the Gortin Glens Forest Park. I can advise that neither my Department, or Sport NI, has been approached regarding support for this proposed development between Gortnagarn and Gortin.

It is clear that a multi-purpose route between Gortnagarn and Gortin for walking, horse riding and cycling would support a key priority in the Outdoor Recreation Action Plan by extending provision of access to the great outdoors and enhance the experience for many more users. It would also help sustain local businesses in a rural area by increasing visitor numbers at both locations and enabling the local community to benefit from tourism revenue.

**Mr Clarke** asked the Minister of Culture, Arts and Leisure to outline her Department's responsibility when pollution in a river is reported.  
(AQO 8993/11-16)

**Ms Ní Chuilín:** The lead agency for the investigation of pollution incidents is NI Environment Agency and my Department's Inland Fisheries Group's relationship with the agency is set out in a Memorandum of Understanding between the two parties.

Where a pollution incident results in a fish kill, NIEA takes the lead on the investigation and DCAL Fisheries Protection Officers support this investigation by collecting, counting and identifying the dead fish and the area affected. Should the matter result in court proceedings the Fisheries Protection Officers may be required to give evidence at court.

Inland Fisheries group staff can provide the courts with expert evidence on the impact of a pollution incident on fish stocks. My officials have also developed a framework for estimating the cost of habitat enhancement and re-stocking to reinstate a fishery affected by pollution incidents. This can be presented as evidence to inform the award of compensation by the courts, should a polluter be made amenable. My officials will then seek to work with the angling club or fishery owners on how this money can be used to benefit fish stocks in the river.

**Ms Sugden** asked the Minister of Culture, Arts and Leisure for an update on Sport NI's Sports Facilities Fund.  
(AQO 8994/11-16)

**Ms Ní Chuilín:** The Sport NI Lottery Sports Facility Fund will see an investment of seventeen point five million pounds in sports facilities across the north of Ireland. The aim is to increase participation in sport at club and community level, whilst also providing facilities for high performance sports people.

It will be delivered through three separate strands:

- The Single Facility strand, which has an estimated budget of two million pounds;
- The Multi Facility strand, which has an estimated budget of six point seven five million pounds; and
- The Performance Facility strand, which has an estimated budget of eight point seven five million pounds.

The Single Facility strand opened to applicants on 1st June 2015 and closed on 15th July 2015. Award levels within this strand are between ten thousand pounds and one hundred thousand pounds. Local sports clubs and other organisations could apply to develop their sporting facilities or purchase sporting equipment. One hundred and fifty-three applications were received.

Following an assessment of the applications and supporting Sports Development Plans, Sport NI has prioritised twenty one applications to move to the next stage in the process, which is the development of a business case for each project. Sport NI will now work with successful applicants to take forward their projects and are offering feedback and advice to those applicants who were not successful at this stage.

The most recent timescale for the Multi Facility strand to open for applications is now January 2016. Award levels within this strand will be between one hundred thousand pounds and one million pounds. Local sports clubs and other organisations can apply to develop new multi-sport facilities, or open up access to existing multi-sport facilities where four or more sports facilities are located at one site.

I would encourage clubs and organisations considering applying to the Multi Facility strand to register their interest with Sport NI, if they have not already done so.

For the third strand, the Performance Strand, Sport NI is currently working with District Councils, Sports Governing Bodies and other key partners to identify how the allocated funding can be best used to integrate facility needs of communities and high performance athletes within the same multi-sport environment. This work is continuing and a date for release has yet to be agreed.

**Mr Hilditch** asked the Minister of Culture, Arts and Leisure for her assessment of the benefits to local communities of Northern Ireland qualifying for the European Championships 2016.[R]

**(AQO 8995/11-16)**

**Ms Ní Chuilín:** Qualifying for the 2016 European Championships is a great achievement for Michael O'Neill, the players, his staff and everyone associated with the team.

Already we have seen communities from across the north of Ireland come together to show their support for the football team and enjoy the atmosphere around the matches. I hope that this will continue during the finals and I have asked my officials to explore how they can support the Irish Football Association and local authorities should they consider developing fan zones around the Championship games.

The team's success has the potential to inspire our local communities to become more active, try new sports and even join a local sports club. This can ultimately lead to healthier lifestyles and mental wellbeing for everyone. In support of this, my Department and Sport NI will continue to work with partners such as the IFA and local councils to offer sport and leisure opportunities across our communities.

There will also be practical benefits to local communities through the development of the Olympia Leisure Centre beside the Windsor Park Stadium. The Department has played its part through its investment in the new Olympia Leisure Centre.

Construction is progressing well and when complete, the new state of the art facilities will be a tremendous boost for the social and economic wellbeing of those from the local community and indeed much further afield. It will provide sustained viable leisure provision in the local area, improving access and promoting social inclusion.

In addition, my Department through Sport NI continues to invest in football at a grassroots level. This investment aims to open up opportunities for local sports communities to follow in the steps of those sporting heroes, like the international football teams.

We have seen how success at major sporting occasions can have a positive effect on everyone and how it helps to inspire the next generation to take part and to be the best that they can be.

**Mr Rogers** asked the Minister of Culture, Arts and Leisure to outline her Department's priorities for the next twelve months.  
**(AQO 8996/11-16)**

**Ms Ní Chuilín:** For the remainder of this term of the Assembly I will continue to implement my Department's business plan in line with the Executive's Programme for Government.

I will continue to drive forward my key objective of ensuring that culture, arts and leisure activities promote equality, and tackle poverty and social exclusion. This will include prioritising funding to ensure that where possible it is directed towards those who are most in need.

During this period I will also bring forward an Arts and Culture Strategy to emphasise the importance of arts and culture in creating a cohesive society, in contributing to positive health and well being, in promoting tourism, in helping the economy and acting as an inspirational driver for the creative industries and artistic excellence.

In addition I will also continue to progress a number of key areas including taking forward the redevelopment of Casement Park and also the Sub Regional Stadium Programme.

Following on from the public consultation I also plan to progress Acht na Gaeilge – an Irish Language Act – in order to support the Irish Language and all those who speak it across the north.

Another priority for my Department is to continue to contribute to building a united community. This will be achieved principally through the delivery of a cross community youth sports programme which will seek to build good relations through the transformative power of sport and creative activity.

Finally my officials will continue to work with their colleagues on the NICS Departmental restructuring programme. This work will ensure that the clear benefits that can be realised from cultural activities will be embedded in the heart of the restructured Departments.

**Mrs D Kelly** asked the Minister of Culture, Arts and Leisure for her assessment of the comments by the Chair of the Arts Council that the cuts to the arts sector are unexpected and unprecedented.

**(AQO 8997/11-16)**

**Ms Ní Chuilín:** I am aware of the comments made by the Chair of the Arts Council and I have met with him to discuss his concerns.

I have pointed out to him that austerity is not my choice and that I am dealing with a very difficult budget, resulting directly from unprecedented British government cuts and this has impacted on all service areas across DCAL and its arm's-length bodies.

I am aware that arts groups and those who avail of their services are facing difficulties. However, I have had to take very tough decisions to ensure that funding is available to priority areas such as health and safety and ensuring that vulnerable and disadvantaged people have the opportunity to access arts and culture. I will not apologise for this.

In terms of funding priorities for the next twelve months and, in the context of the reduced resources that are available to me, I remain committed to prioritising access to arts and culture for people from the most vulnerable sections of our society, people who may not otherwise have access to arts and culture to ensure they have equality of opportunity in experiencing the benefits that access to arts and culture can bring.

I will also prioritise the launch of a public consultation which will assist in shaping a ten year arts and culture strategy to ensure recognition is given at the highest level to the value that arts and culture have in enriching the lives of individuals, communities and wider society.

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure, in light of the recently announced cuts to the arts sector, whether any directive has been issued to Arts Council NI regarding funding priorities for the next twelve months.

**(AQO 8998/11-16)**

**Ms Ní Chuilín:** I am aware of the comments made by the Chair of the Arts Council and I have met with him to discuss his concerns.

I have pointed out to him that austerity is not my choice and that I am dealing with a very difficult budget, resulting directly from unprecedented British government cuts and this has impacted on all service areas across DCAL and its arm's-length bodies.

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I will also prioritise the launch of a public consultation which will assist in shaping a ten year arts and culture strategy to ensure recognition is given at the highest level to the value that arts and culture have in enriching the lives of individuals, communities and wider society.

## Department of Education

**Mr Easton** asked the Minister of Education to detail (i) the number of pupils currently attending Clifton Special School, Bangor; and (ii) the number of places the school can accommodate.

**(AQW 49895/11-16)**

**Mr O'Dowd (The Minister of Education):** In 2014/15, 146 pupils were enrolled in Clifton Special School as a single or a dual registered pupil where Clifton is their main school. Information on approved enrolments of special schools is not held by the Department.

**Source:** NI school census

**Notes:**

- 1 Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.



**Mr Weir** asked the Minister of Education to detail any primary schools that have (i) opened; and (ii) been granted permission to open since 2010, with less than 105 pupils.

**(AQW 49901/11-16)**

**Mr O'Dowd:** Schools that have opened and been granted permission to open since 2010 with fewer than 105 pupils are detailed in the table below.

**(i) Schools that have opened**

Year opened	School	Enrolment on year opened	Enrolments in 2014/15
2010	Gaelscoil an tSeanchaí	20	77
2011	Gaelscoil Léim an Mhadaidh	18	53
2011	Gaelscoil Aodha Rua	12	67
2012	Gaelscoil Neachtain	63	77
2012	Ardstraw Jubilee Primary School	74	89
2012	Gaelscoil Eoghain	13	41
2012	Gaelscoil na mBeann	20	40

**(ii) Schools that have been granted permission to open**

Gaelscoil Aodha Rua, Gaelscoil Neachtain, Ardstraw Jubilee Primary School, Gaelscoil Eoghain and Gaelscoil na mBeann were all granted permission to open since 2010.

**Source:** NI school census

**Notes:**

- Most recent figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- Figures include year 1 - 7 classes only.

**Ms Sugden** asked the Minister of Education when the review of the Youth Council for Northern Ireland will be published.

**(AQW 49978/11-16)**

**Mr O'Dowd:** The consultation on proposals for the future of the Youth Council (YCNi) closed on 3 July 2015. Responses are currently being considered and I will announce my decision in due course.

**Ms Sugden** asked the Minister of Education what opportunities for continual professional development exist for the non-formal education workforce.

**(AQW 49979/11-16)**

**Mr O'Dowd:** The Department of Education does not employ support staff who work in the education sector. The Education Authority (EA) employs the vast majority of the education sector support staff.

The EA has advised that professional development opportunities are provided for staff in various settings. The nature and type of professional development opportunity will be determined by the specific professional requirements of staff such as Education Welfare Officers, Educational Psychologists, Drivers etc.

In particular, training is provided where there is a statutory requirement in areas such as health and safety, child protection, food safety etc.

In-house training is also developed for a number of areas to meet service needs.

**Mr Eastwood** asked the Minister of Education to detail the (i) amount of money awarded via the Extended Schools Fund in Foyle, in 2015-16; (ii) amount of money awarded to each individual cluster group; (iii) the target issue date of funding per cluster group; and (iv) the actual issue date of funding per cluster group.

**(AQW 49999/11-16)**

**Mr O'Dowd:** A total of £1,284,646 of funding was awarded to schools located in the Foyle constituency via the Extended Schools (ES) programme in 2015-16.

The amount of ES funding made available in respect of each individual cluster group within Foyle is set out in the table below.

Name of ES Cluster Group within Foyle constituency	ES funding 2015/16
Outer North 1	£63,322
Outer North 2	£41,284
Outer West	£47,950
Triax 1	£48,671
Triax 2	£41,572
Waterside 1	£63,300*
Waterside 2	£34,472
Total	£340,571

\* Does not include £1,304 contributed to the Waterside 1 cluster by Listress PS as this school is not located within the Foyle constituency.

There is no set target date for the issue of funding to ES cluster groups. The EA have advised that arrangements were made to release funding to schools at the earliest opportunity following final confirmation of allocation details from DE.

The EA have confirmed that notification of funding was issued to all cluster groups in the Foyle constituency on 30 September 2015.

**Ms McCorley** asked the Minister of Education (i) to detail the current financial surplus or deficit position; and (ii) for a breakdown of any additional money received through the funding formula for deprivation or other special categories for each (a) Council for Catholic Maintained; and (b) Irish-medium primary school in West Belfast.

**(AQW 50047/11-16)**

**Mr O'Dowd:**

(i) The latest Financial Year for which the cumulative surplus/deficit position is available is 2014/15. The table below provides data for the requested schools:

DENI ref	Council for Catholic Maintained Schools	Cumulative Surplus/ Deficit Position at 31/3/2015 £
103-6388	St Mary's Primary School, Divis St	257,177
103-6565	St Kevin's Primary School	306,880
103-6576	Holy Child Primary School, Belfast	3,014
103-6589	St Teresa's Primary School, Belfast	79,030
103-6602	St Oliver Plunkett Primary School, Belfast	85,479
103-6620	St Peter's Primary School, Belfast	30,676
103-6621	St Joseph's Primary School, Slate Street	65,254
103-6623	Holy Trinity Primary School, Belfast	307,103
103-6624	St Paul's Primary School, Belfast	-16,339
103-6630	St Clare's Primary School, Belfast	242,988
103-6688	St John The Baptist Primary School, Belfast	0
103-6697	John Paul II Primary School	150,741
403-6081	St Luke's Primary School	-2,620
403-6134	St Mark's Primary School	5,599
403-6285	The Good Shepherd Primary School	80,225
403-6480	St Kieran's Primary School	63,116
403-6591	Our Lady Queen of Peace Primary School	-75,841
403-6618	Christ the Redeemer Primary School	375,514

DENI ref	Council for Catholic Maintained Schools	Cumulative Surplus/ Deficit Position at 31/3/2015 £
	<b>Irish-Medium Schools</b>	
104-6501	Bunscoil Phobal Feirste	-51,978
104-6571	Gaelscoil Na Bhfal	173,733
104-6593	Bunscoil An Tseibhe Dhuibh	13,353
104-6671	Gaelscoil na Mona	-11,413
104-6672	Gaelscoil an Lonnain	26,442
404-6600	Scoil na Faiseoige	-12,962

- (ii) Due to the volume of data requested for Part (ii) of the question, this information will be deposited in the NI Assembly Library. The data to be deposited relates to the allocations made via the funding formula for the current Financial Year (2015/16). Data shows the social deprivation funding alongside additional need pupil (Newcomer, Traveller and Looked-After children) funding, along with the total delegated budget in 2015/16.

**Ms McCorley** asked the Minister of Education to detail the (i) GCSE; and (ii) A-level results for each post-primary school in West Belfast in each of the last three years.

**(AQW 50051/11-16)**

**Mr O'Dowd:** To provide this information would effectively result in the publication of a league table which it is not my intention to do. The reality is that no single measurement can constitute a fair or accurate evaluation of a school. Each should be considered in the context of other information about a school and its pupils. What I can do is refer you to the Schools Plus directory on the DE website where you can find relevant performance statistics about individual schools in the west Belfast area.

**Mr Weir** asked the Minister of Education for a breakdown of the number of (i) full; and (ii) part time nursery school places in North Down, in each of the last five academic years.

**(AQW 50095/11-16)**

**Mr O'Dowd:** The requested information is shown in the table below. The number of places available has remained constant over the past five academic years.

School Name	Full-time places (2011-2015)	Part-time places (2011-2015)
Donaghadee Primary School	0	52
Millisle Primary School	26	0
Bloomfield Primary School	0	52
Kilcooley Primary School	26	0
Rathmore Primary School	0	52
Towerview Primary School	0	52
Kilmaine Primary School	0	52
Ballymagee Primary School*	0	26
St Malachy's Primary School	0	52
Bangor Central Nursery School	26	52
Hollywood Nursery School	0	52
Trinity Nursery School	52	0

\* Ballymagee Primary School nursery opened in September 2014 therefore figures only appropriate from this point onwards.

**Mr Easton** asked the Minister of Education to detail the number of pupils attending Catholic Maintained primary schools.

**(AQW 50103/11-16)**

**Mr O'Dowd:** In 2014/15 there were 79,786 pupils attending Catholic Maintained primary schools.

**Source:** NI school census

**Notes:**

- 1 Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 2 Figures for primary includes nursery, reception and year 1 - 7 classes.

**Mr Easton** asked the Minister of Education to detail the number of pupils attending Controlled primary schools.

**(AQW 50141/11-16)**

**Mr O'Dowd:** In 2014/15 there were 84,220 pupils attending Controlled primary schools, of which 3,821 attend Controlled Integrated primary schools.

**Source:** NI school census

**Notes:**

- 3 Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 4 Figures for primary includes nursery, reception and year 1 - 7 classes.

**Mr Easton** asked the Minister of Education to detail the number of pupils attending Integrated primary schools.

**(AQW 50142/11-16)**

**Mr O'Dowd:** In 2014/15 there were 9,962 pupils attending integrated primary schools. This includes 3,821 pupils attending Controlled Integrated primary schools and 6,141 pupils attending Grant Maintained Integrated primary schools.

**Source:** NI school census

**Notes:**

- 5 Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 6 Figures for primary includes nursery, reception and year 1 - 7 classes.

**Mr Easton** asked the Minister of Education to detail the number of Controlled grammar schools.

**(AQW 50143/11-16)**

**Mr O'Dowd:** In 2015/16, there are 17 Controlled Grammar schools.

**Source:** NI school census

**Mr Easton** asked the Minister of Education to detail the number of Catholic Maintained grammar schools.

**(AQW 50144/11-16)**

**Mr O'Dowd:** There are no Catholic Maintained Grammar schools.

**Source:** NI school census

**Mr Beggs** asked the Minister of Education (a) for a breakdown of the number of funded pre-school education places in Carrickfergus in the last three years, including the number of pre-school children residing in Carrickfergus that were not in receipt of pre-school places or travelled outside the postcode area for pre-school provision; and (b) for each pre-school provider in Carrickfergus, to detail the number of (i) pre-school education places provided for the immediate pre-school year; (ii) funded pre-school education places supporting those not in their immediate pre-school year; and (iii) for which funding was offered but vacancies existed.

**(AQW 50155/11-16)**

**Mr O'Dowd:**

- (a) The Education Authority has advised that the number of funded pre-school education places available in Carrickfergus in the last three years is as follows:

Settings	2013	2014	2015
Acorn Integrated Primary School	26	26	26
Alphabet Playgroup	25	25	25
Banana Bunch Playgroup	26	26	26



Settings	2013	2014	2015
Greengables Pre-School	24	24	24
Humpty Dumpty Pre-School	25	25	25
Kilroot Playgroup	24	24	24
Mt St Nicholas Playgroup	24	24	24
Oakfield Primary School	52	52	52
Rainbow Playgroup	24	24	24
Silverstream Primary School	26	26	26
Sunnylands Nursery School	104	104	104
Victoria Primary School	52	52	52
Whitehead Primary School	52	52	52
Woodburn Pre-School Playgroup	25	25	25

The process for admission to pre-school is preference based. For admissions in September 2015, 14 children with an address in Carrickfergus or Greenisland applied for and were placed in their first preference settings outside the area. The corresponding figure for 2014 admissions was 16 children. In 2013 a total of 20 children with an address in Carrickfergus or Greenisland were placed in settings of their choice outside the area. The EA cannot confirm if these were first preference settings.

At the end of the pre-school admissions processes for September 2013, 2014 and 2015, all applicants with an address in Carrickfergus or Greenisland who remained with the process had received the offer of a funded place.

- (b) (i) The number of funded pre-school places is detailed in the table above.
- (ii) Thirteen underage children were admitted to statutory nursery settings in Carrickfergus for the 2015/16 academic year: 7 in Sunnylands Nursery School and 6 in Whitehead Primary School. During the admissions process underage children are admitted only when all applications from children in their immediate pre-school year have been facilitated.
- (iii) At the end of the 2015/16 admissions process, there were no places remaining in statutory pre-school settings in the area. Potential places remained available in the non-statutory settings listed below. Funding is not provided for unfilled places in private/voluntary pre-school settings:
- Alphabet Playgroup
  - Banana Bunch Playgroup
  - Kilroot Playgroup
  - Mt St Nicholas Playgroup
  - Rainbow Playgroup
  - Woodburn Pre-School Playgroup

**Mr McGlone** asked the Minister of Education what actions his Department is taking to ensure the provision of urgently required accommodation at Kilronan School, Magherafelt.  
(AQW 50161/11-16)

**Mr O'Dowd:** As Kilronan SS is a controlled school, responsibility for accommodation issues falls to the Education Authority (EA). The EA has already written to the school advising that it is acutely aware of the accommodation difficulties and it is taking steps to address both the short term and projected longer term accommodation needs, subject to the required funding becoming available.

**Mr Allen** asked the Minister of Education for an update on area planning for Carrickfergus College.  
(AQW 50209/11-16)

**Mr O'Dowd:** As the managing authority for controlled schools, it is the Education Authority's (EA) role to bring forward and publish Development Proposals (DP) relating to controlled schools in the Carrickfergus area including Carrickfergus College.

To date no DP has been published for Carrickfergus College. I have been advised that the EA will be consulting on options for controlled Post Primary provision in Carrickfergus during 2015/16.

**Mr Weir** asked the Minister of Education, pursuant to AQW 50023/11-16, to detail (i) the specific criteria for eligibility to the Extended Schools Programme; and (ii) how the criteria have been selected.  
(AQW 50223/11-16)

**Mr O'Dowd:** The specific eligibility criteria for schools to qualify for the Extended Schools (ES) programme have recently been provided in my response to AQW 50023/11-16.

The additional resources provided through the ES programme are targeted at those schools operating in the most socially deprived areas. The eligibility criteria have therefore been developed to identify schools with greatest need using recognised measures of deprivation.

Free School Meal Entitlement (FSME) has a long established link to social deprivation and also to lower levels of educational achievement. Alongside FSME, the Multiple Deprivation Measure (NIMDM 2010) is based on distinct domains of deprivation that can be recognised and measured separately.

Schools are therefore identified for ES funding purposes, using both the measures of deprivation outlined above, through assessing the profile of the school as submitted in the annual School Census return.

**Mr B McCreagh** asked the Minister of Education to outline how his Department is working with schools, Translink and parents to address bullying on school buses.

**(AQO 9007/11-16)**

**Mr O'Dowd:** Bullying is unacceptable no matter where it happens. It can extend far beyond the school gates; and bullying on school buses, when levels of direct supervision are lower, can be a significant problem.

Responsibility to respond to individual incidents lies with the school; acting in accordance with its discipline, good behaviour and anti-bullying policies. The day-to-day operation of those policies is exclusively a matter for the school and not one in which the Department would seek to intervene.

To ensure a consistent approach is followed by all schools; I will be clarifying, as part of my 'Addressing Bullying in Schools Bill' that schools responsibilities extend beyond those incidents which occur on school premises, during normal school hours; and they must take action when bullying occurs while pupils are travelling to or from the school, during term-time. Schools will be required to record such incidents, and the steps they have taken to address them.

Translink is actively involved in efforts to tackle bullying on buses. It works with schools to raise awareness, has provided guidance to drivers on responding to incidents and liaises with schools and Education Authority (EA) Transport Officers when any problems arise.

The EA have also developed a "Safe School Transport" leaflet for parents which includes advice on how bullying at these times should be addressed.

When incidents do occur, parents should initially contact the school to report the matter and raise their concerns. Where bullying is persistent, most Translink and EA operated buses can be fitted with CCTV cameras to monitor the situation and provide evidence, allowing the school to take appropriate action.

**Mr Campbell** asked the Minister of Education in the absence of a signature project, what measures does he intend to introduce to help raise educational attainment rates for young Protestant boys.

**(AQO 9011/11-16)**

**Mr O'Dowd:** I am determined to address the inequality in our education system and I have in place policies to raise standards and tackle educational underachievement wherever it exists.

Tackling inequalities in education is an issue that cannot be solved quickly and while we have made some progress in recent years, this is a multi-faceted, societal issue and one that education authorities and schools cannot tackle on their own.

The evidence suggests that social background is the strongest factor impacting on attainment here, and whilst the performance of our most deprived pupils has continued to improve over the last few years, and at a faster rate than their more affluent peers, the gap between them is still too wide.

It is clear that schools need additional resources to help these pupils achieve their potential and I have redistributed school funding to target those schools with high numbers of pupils from socially disadvantaged backgrounds.

I also continue to target substantial resources at disadvantaged communities, including Sure Start, extended schools, full service programmes, Achieving Belfast and Achieving Derry Bright Futures programmes, and projects to address educational underachievement in the Greater West Belfast area.

I am working hard to break the link between disadvantage and educational outcomes; however, there is an important role to be played by parents, community leaders and those with influence in the community in raising educational awareness and aspiration in socially deprived communities.

While some schools persist in the use of academic selection, we will be unable to eradicate social division and those political proponents of social and academic selection must start accepting responsibility for all its outcomes, especially the outcomes for working class children.

I am however encouraged when I see communities where formal education has not traditionally been prized now recognising that education is the path to success in the future.

**Mr Weir** asked the Minister of Education, pursuant to AQW 49927/11-16, to detail how the figures for each school compare to the approved enrolment figures for 2010-11.

**(AQW 50291/11-16)**

**Mr O'Dowd:** For comparative purposes the previously supplied data for AQW 49927/11-16 has been updated in the table below to include 2010/11 information:

School Name	School Type	Approved Enrolment number (2015/16)	Approved Enrolment number (2010/11)
Ballyvester Primary School	Primary	109	109
Hollywood Primary School	Primary	523	523
Crawfordsburn Primary School	Primary	221	221
Ballyholme Primary School	Primary	630	630
Donaghadee Primary School	Primary	466	466
Clandeboyne Primary School	Primary	406	544
Millisle Primary School	Primary	225	225
Bloomfield Primary School	Primary	408	408
Redburn Primary School	Primary	Closed 31/8/12	356
Grange Park Primary School	Primary	402	361
Kilcooley Primary School	Primary	205	567
Rathmore Primary School	Primary	560	631
Towerview Primary School	Primary	334	319
Kilmaine Primary School	Primary	610	610
Ballymagee Primary School	Primary	406	406
St Patrick's Primary School, Hollywood	Primary	316	316
St Anne's Primary School, Donaghadee	Primary	76	76
St Comgall's Primary School, Bangor	Primary	290	290
St Malachy's Primary School, Bangor	Primary	437	437
Bangor Central Integrated Primary School	Primary	618	556
Glencraig Integrated Primary School	Primary	252	252
Bangor Academy and 6th Form College	Post-Primary	1420	1420
St Columbanus' College	Post-Primary	525	500
Priory College	Post-Primary	500	450
Glenlola Collegiate	Post-Primary	1100	1100
Bangor Grammar School	Post-Primary	850	900
Sullivan Upper School	Post-Primary	1060	1060

**Mr Clarke** asked the Minister of Education to outline the process used by his Department to notify Translink of the need to issue bus passes to students.

**(AQW 50312/11-16)**

**Mr O'Dowd:** The Education Authority (EA), rather than the Department of Education, is responsible for the process relating to notification and issue of Translink sessional tickets ("bus passes"). Following acceptance of their child into a school, parents may apply to the EA for assistance with transport for their child. The EA determines the most appropriate means of assistance including whether or not the pupil will travel on a Translink service. If so, their details will be forwarded to Translink for the creation of a sessional ticket. The ticket is sent to the EA which then passes it to the pupil's school for issue to the pupil in the first week of term. For pupils eligible for transport assistance from previous years, the EA passes their names to Translink in June with no need for parents to reapply each year.

**Ms Hanna** asked the Minister of Education for his assessment of the Equality Commission's Draft Statement on Key Inequalities in Education.

**(AQO 9006/11-16)**

**Mr O'Dowd:** This is a Draft Statement and I asked the Equality Commission to meet with me on 19 October to discuss its findings. We have agreed that my officials will have further discussions with the Commission on its draft findings before publication of a final statement in 2016.

I am committed to addressing educational underachievement and disadvantage. Here are some examples of what we have achieved and are progressing:

- In the Progress in International Reading Literacy Study (PIRLS) and Trends in International Mathematics and Science (TIMSS) published in December 2012 we were the highest ranking English speaking region in the world in both reading and numeracy, 5th out of 45 countries surveyed in reading and 6th out of 50 countries surveyed in mathematics.
- funding both the Inclusion and Diversity Service and the Traveller Education Support Service to provide support for pupils who are Newcomers or from a Traveller background; and
- drafting three bills which will improve equality of opportunity and promote good relations - Special Educational Needs and Disability, Addressing Bullying in Schools and Shared Education.

There is more we can do and we are on a journey rather than at a destination. I look forward to hearing from the Equality Commission and other stakeholders about further steps we can take to secure improvement.

**Mr Clarke** asked the Minister of Education what advice his Department gives to schools in relation to promoting internet safety.

**(AQO 9008/11-16)**

**Mr O'Dowd:** My Department has reminded schools of their responsibility to have in place an eSafety policy and has provided guidance and advice on eSafety matters. As with all aspects of the curriculum, the specifics of what is taught in the classroom are matters for each teacher/school to consider.

A number of Departmental Circulars have issued to schools to provide advice on eSafety. DE Circular 2013/25 entitled "eSafety Guidance" issued in December 2013 which provided advice on what should be included in their eSafety policies, including advice on any non-C2k provision. Previous advice was issued in Circular 2011/22 "Internet Safety" and Circular 2007/01 "Acceptable Use of the Internet and Digital Technologies in Schools".

C2k provides schools with access to eSafety information and teaching resources via a dedicated eSafety Zone and includes a 360 degree online safety tool, links to UK Safer Internet Resources offering advice on keeping children safe online, and to an Anti Bullying Network website which provides suggestions for a code of conduct that schools can introduce to pupils.

There are also resources for teachers and pupils available on Fronter, C2k's Virtual Learning Environment. This includes eSafety courses; web links to best practice; audit tools; and advice on sexting/cyberbullying/policy creation. There are two Fronter ready to go rooms for eSafety— one to support staff and the other for pupil use as well as extensive resources to support teachers in their delivery of Internet safety to pupils in a dedicated area within C2k's content management system, EQUELLA.

**Ms Fearon** asked the Minister of Education, given the growth in pupil numbers and achievement in Irish-medium education in South Armagh, notably in Gaelscoil Phádraig Naofa, how he plans to develop and further enhance this provision.

**(AQO 9009/11-16)**

**Mr O'Dowd:** It is the responsibility of the Education Authority and the Council for Catholic Maintained Schools working with the Comhairle na Gaelscolaíochta to ensure that there is sufficient provision to meet the demands for Irish medium education in the South Armagh area.

In May 2015, I approved Development Proposal 309 to increase the enrolment at Gaelscoil Phádraig Naofa, the Irish medium unit of St Patrick's Primary School from the 1 September 2015 or as soon as possible thereafter. This approval will meet the increased demand for Irish Medium education at the unit and will mean that the enrolment at Gaelscoil Phádraig Naofa will increase from 105 to 147 and the admissions number from 15 to 21.

**Mr Cochrane-Watson** asked the Minister of Education for his assessment of primary pupils' progression at the end of Key Stages 1 and 2.

**(AQO 9010/11-16)**

**Mr O'Dowd:** From the 2012/13 school year attainment in Communication and Using Mathematics has been assessed using Levels of Progression. Our assessment arrangements are designed to measure not only the attainment of pupils but also the progress they make.

The arrangements include an 'expected level' at each milestone (the end of Key Stages 1, 2 and 3) and we are able to observe at system level the percentage of pupils attaining the expected level and above at the end of each Key Stage.

The percentage of pupils attaining the expected level in 2013/14 has increased across each Key Stage, and in both skills, since 2012/13.



The percentage of Key Stage 2 pupils achieving Level 4 or above in Using Maths increased from 78.5 to just over 80 percent, while the corresponding figure for Communication increased from 77 to almost 80 percent.

Our arrangements now allow us to assess the comparative performance of free school meals entitled pupils. This underlines the gap: the equivalent figures for free school meal-entitled pupils achieving the expected level are 65 percent in Communication and 66 percent in Using Maths. That's a 15 percentage point difference for Communication and a 14 percentage point difference for Maths. While not as pronounced a gap as we see in post-primary attainment, it is still untenable and I remain determined to take further action to reduce it.

In addition, the new arrangements include an expectation that, as well as achieving the expected level by the end of each Key Stage, pupils will progress by at least one level between each Key Stage. In future years, therefore, this will allow us to capture data on how pupils, or groups of pupils such as those with free school meal entitlement, in each cohort are progressing as they move through their education.

**Mrs McKevitt** asked the Minister of Education, during the last academic year, how many schools were dissatisfied with the outcome of their Education and Training Inspectorate school inspection and raised a complaint at stage one.  
(AQO 9012/11-16)

**Mr O'Dowd:** The Education and Training Inspectorate received two formal complaints during the academic year 2014-15 at stage one however neither of these were in relation to schools being dissatisfied with the outcome of their school inspection.

**Mr D McIlveen** asked the Minister of Education to outline the process and criteria for applying for a bus pass.  
(AQO 9013/11-16)

**Mr O'Dowd:** I should begin by clarifying that pupils apply for transport assistance and not specifically a bus pass. Should a pupil be eligible for transport assistance the Education Authority will determine what type of assistance is most appropriate. This may take the form of a bus pass, a seat on an Education Authority vehicle, or a monetary allowance.

Parents may apply to their Education Authority Region for consideration. Eligibility for assistance is determined by application of the school transport policy's criteria which are: distance, and suitable school. The distances used are two miles for Primary pupils and three miles for Post-Primary pupils measured by the shortest route capable of being walked between home and school. A suitable school is one in the recognised categories of grant-aided school. Namely: Catholic Maintained, Controlled and Other Voluntary, Integrated, Irish Medium, Denominational and Non-Denominational grammar. No other definition of 'suitable school' is used.

## Department for Employment and Learning

**Mr Weir** asked the Minister for Employment and Learning to detail the projected reduction of full time equivalent students at local universities, as a result of courses being withdrawn.  
(AQW 49132/11-16)

**Dr Farry (The Minister for Employment and Learning):** As a result of the 2015-16 Budget, this academic year, our universities and university colleges will be taking cuts of over £16 million. As a consequence we are witnessing a very real impact in terms of student places and staff posts. Queen's and Ulster University, have reduced their intake of local and European full time students by a total of 540 places this year and this is expected to rise to nearly 2,000 over the next few years.

**Mr Ramsey** asked the Minister for Employment and Learning to detail the number of students, per university campus, against whom action was taken by their university as a result of plagiarism, in each of the last five years.  
(AQW 49376/11-16)

**Dr Farry:** My Department does not hold this information. You may wish to contact the institutions directly.

**Mr Ramsey** asked the Minister for Employment and Learning to detail any plans by Ulster University to merge or centralise community youth studies, community planning and restorative justice onto one site or school.  
(AQW 49377/11-16)

**Dr Farry:** My Department does not hold this information. You may wish to contact the University directly.

**Ms Sugden** asked the Minister for Employment and Learning to detail whether his Department has had any discussions with the NEET Youth Forum regarding the possibility of representatives chairing or co-chairing the NEET Advisory Group.  
(AQW 49441/11-16)

**Dr Farry:** Discussions between my officials and the NEET Strategy Forum, the organisation which manages the NEET Youth Forum (NYF), about the future role of the overall organisation given the current refresh of the Pathways to Success strategy, are ongoing.

The NYF has been directly represented on the NEET Advisory Group since December 2014.

There have been direct discussions with the NYF Regional Project Manager about the possibility of a young person co-chairing the NEET Advisory Group. This may be a future option as members of the NYF gain in confidence.

I will be happy to keep the possibility of a young person co-chairing the NEET Advisory Group under review.

**Mr Allister** asked the Minister for Employment and Learning what representations the Minister has made or intends to make to St Mary's University College to avoid a repeat of the recent display commemorating republican terrorists at the college. (AQW 49562/11-16)

**Dr Farry:** My expectation is that all higher education institutions must be shared and inclusive environments.

Like others, St Mary's University College is responsible for its policies and procedures, including adherence to Section 75 and other equality legislation. My Department highlights in the annual grant letters to all institutions their responsibility to adhere to the relevant legislation.

All higher education institutions engage with the wider community, and this is now an expectation under our higher education strategy. In this regard, St Mary's is responsible for deciding how its premises are used.

**Mr Weir** asked the Minister for Employment and Learning, in relation to the Ulster University Certificate in Training Level 4 required under the 2014-2020 European Social Fund Programme, to detail (i) how this will impact on the mobility of workers across the EU; and (ii) what steps will be taken to ensure there is no discrimination for facilitators from outside Northern Ireland with existing qualifications. (AQW 49663/11-16)

**Dr Farry:** The Ulster University Certificate in Teaching is only required to be undertaken under the European Social Fund 2014-2020 Programme, if a tutor does not already hold a recognised teaching qualification. A list of these recognised qualifications has been provided in response to AQW 49661/11-16.

My Department appreciates that the list of recognised teaching qualifications provided may not be exhaustive, and that some tutors may hold teaching qualifications which could be considered 'equivalent', particularly where those qualifications have been achieved outside the UK or Republic of Ireland. Where this is the case, my Department recommends that Project Promoters consult the UK National Academic Recognition Information Centre (UK NARIC), in order to satisfy themselves that any alternative teaching qualifications are equivalent to those in the Department's list of recognised teaching qualifications.

Access to the UK NARIC database is available across the Department's network of Jobs and Benefits Offices and JobCentres. This service is provided free; however, there may be a need for translation of the certificates and relevant transcripts into English and any translation costs are not covered by my Department.

Where UK NARIC is unable to demonstrate the equivalence or otherwise of a particular qualification, my Department recommends that the individual should undertake the Certificate in Teaching at Ulster University and, if appropriate, seek consideration of accredited prior learning which will be considered by the University in line with its normal procedures.

My Department would therefore maintain that these provisions ensure EU-wide labour mobility, and that there is no discrimination for tutors with qualifications from outside the UK or Republic of Ireland.

**Lord Morrow** asked the Minister for Employment and Learning, in respect of the terrorist tribute at St Mary's University College Belfast, what discussions has his Department held with staff and Board of Governors prior to, during and since, as to (i) whose initiative this was; (ii) whether it complied with all policies, protocols and procedures expected from a departmentally funded facility; and (iii) the measures or consideration given to the sensitivities of students and staff who may be victims of or had direct or familial connections with victims of those depicted in the tribute, or others associated with the activities of same. (AQW 49725/11-16)

**Dr Farry:**

- (i) When the exhibition was first brought to my attention in August, departmental officials contacted St. Mary's and were advised that the exhibition was staged by the support group 'Relatives for Justice' and was part of the Feile an Phobail.
- (ii)&(iii) The funding provided by my Department to higher education institutions is for the specific purposes of the provision of education and the undertaking of research or for the provision of facilities for the carrying on of these activities. All third level institutions are required to have shared and inclusive environments and my Department highlights, in the annual grant letters, the responsibility of individual institutions to adhere to the relevant legislation.

**Ms Sugden** asked the Minister for Employment and Learning for his assessment of (i) Knowledge Transfer Partnerships between Further and Higher Education institutions and local companies; and (ii) how budget cuts are likely to impact on the ability of institutions to deliver the Partnerships. (AQW 49742/11-16)

**Dr Farry:**

- (i) Since it began in Northern Ireland about 40 years ago some 600 Knowledge Transfer Partnerships (KTPs) have been completed with local companies which have provided numerous benefits to individuals, companies and academic institutions and to the Northern Ireland economy overall.

Northern Ireland as a region is highly successful in terms of KTP Programme participation. Queen's University Belfast has the highest number of current active partnerships in the UK at 42 and Ulster University is currently ranked sixth with 21 active partnerships.

The KTP Programme is an excellent example of a scheme which fosters collaboration and knowledge transfer and delivers significant impacts to the Northern Ireland economy. A recent study<sup>1</sup> commissioned by Innovate UK estimated programme Return on Investment of £8 of net additional GVA generated for every £1 of KTP grant funding invested by sponsors.

- (ii) The higher and further education sectors in Northern Ireland fall under the remit of the Department for Employment and Learning (DEL) which provides funding support in relation to teaching, research and knowledge exchange.

In terms of supporting the Higher Education sector's continuing engagement with businesses and the wider community, DEL currently provides around £4 million per annum of underpinning, core funding through its Northern Ireland Higher Education Innovation Fund (NI HEIF).

Just one of the roles of NI HEIF is to support the universities' innovation and enterprise offices to provide practical assistance to academics and businesses to enable the development of high quality, competitive, proposals to KTP and to other important innovation initiatives.

With respect to KTP, both Queen's University and Ulster University have been highly successful. Queen's consistently tops the UK league table with respect to KTP awards and Ulster has recently moved up to sixth position out of 106 registered knowledge providers in the UK.

NI HEIF is complemented by DEL's Connected programme, an initiative supporting universities and further education colleges to work together for the benefit of local businesses. Currently funded at £1.1 million per annum, Connected also plays an important role in the promotion of KTPs and has been instrumental in encouraging the first college based projects.

Despite the wider cuts to the Higher Education budget, DEL has been able to protect NI HEIF and Connected, in recognition of both programmes' particular relevance and importance to the local economy. By taking the strategic decision to do this, DEL is safeguarding the ability of the universities to deliver KTPs and other business-facing activities.

On the Further Education side, DEL has increased the budget for the Employer Support Programme from £2 million in 2014/15 to £3.2 million in 2015/16 to implement and deliver a new strand of the programme, Skills Focus. This reaffirms the commitment of the Department to deliver training to businesses, enabling them to engage in innovation, upskill the workforce and gain qualifications.

Skills Focus, which was introduced in April 2015, aims to support, promote and facilitate collaborative working between business and FE colleges, in order to provide tailored skills provision to small and medium sized enterprises with fewer than 250 employees. The purpose of Skills Focus is to meet business needs by increasing the skills levels and employability of the existing workforce to qualifications at level 2 and above.

The other strand of the Employer Support Programme, InnovateUs, is designed to encourage and promote opportunities for small businesses and FE colleges to work together. In particular, the focus of the programme is to enable small businesses, with fewer than 50 employees, to acquire the skills necessary to engage in innovation activities and research and development across the business and underpin the development of these skills; promote progression in this area; and enable businesses to undertake additional and further forms of innovation, which will contribute to their growth and development, as well as increasing Further Education's role in economic development.

As with the Higher Education sector, this investment in the Further Education sector by DEL will serve to underpin the environment in which programmes such as KTP can flourish.

<sup>1</sup> KTP Programme - The Impacts of KTP Associates and Knowledge Base on the UK Economy, WECD July 2015

**Lord Morrow** asked the Minister for Employment and Learning whether the Board of Governors and management of St Mary's University College, Belfast approved the terrorist tribute at St Mary's University College and, if so, on what date. (AQW 49847/11-16)

**Dr Farry:** As my Department does not hold this information you may wish to write to St Mary's University College directly on this matter.

**Lord Morrow** asked the Minister for Employment and Learning to detail how many departmentally funded Further and Higher Education facilities have hosted tributes to terrorism in any form during his tenure to date, including that displayed at St Mary's University College, Belfast, shown per financial year.

**(AQW 49921/11-16)**

**Dr Farry:** My Department does not hold information on displays in Further and Higher Education Institutions.

**Lord Morrow** asked the Minister for Employment and Learning (i) whether his Department is the biggest funder of St Mary's University College, Belfast; and (ii) to detail which other bodies provide additional funding, broken down by percentage of gross funding.

**(AQW 49967/11-16)**

**Dr Farry:** In the 2013-14 academic year the single largest source of income for St Mary's was Government Grants which made up 53% of its total income. 99.4% of Government Grants were provided by my Department with the balance coming from the Department of Education.

My Department does not hold information on which other bodies provide funding to the University College.

**Mr Weir** asked the Minister for Employment and Learning to detail the action he is taking to ensure that there is a neutral working environment at St Mary's University College, Belfast.

**(AQW 49968/11-16)**

**Dr Farry:** All third level institutions are required to have shared and inclusive environments. My Department highlights, in the annual grant letters, the responsibility of individual institutions to adhere to the relevant legislation.

**Mr Dallat** asked the Minister for Employment and Learning to detail (i) the total contracts awarded to private enterprises engaged in training and recruitment in each of the last 5 years; and (ii) the value of contracts currently held by private enterprises engaged in training and recruitment.

**(AQW 49975/11-16)**

**Dr Farry:**

- (i) The total number of contracts awarded to private enterprises engaged in training and/or recruitment in each of the last five years is as follows:

Period	Total number of contracts
1 October 2010 – 30 September 2011	2
1 October 2011 – 30 September 2012	5
1 October 2012 – 30 September 2013	7
1 October 2013 – 30 September 2014	3
1 October 2014 – 30 September 2015	4
<b>Total</b>	<b>21</b>

- (ii) The outstanding value of contracts currently held by the Department for training and/or recruitment as at 26 October 2015 is approximately £205 m. The providers for these large contracts are a mixture of Private Enterprises and Public Bodies. Of the 91 suppliers, 75 are private enterprises.

**Ms Sugden** asked the Minister for Employment and Learning (i) whether Steps 2 Success takes preference over other projects which provide opportunities for young people to gain qualifications; and (ii) to give his assessment of the challenges posed for young people who are currently participating on other programmes and who are required to participate in Steps 2 Success.

**(AQW 50169/11-16)**

**Dr Farry:**

- (i) Steps 2 Success (S2S) is my Department's main employment programme. Eligibility for S2S is determined by the type of benefit which a client receives, the length of time on benefit and the client's barriers to employment.

S2S provides a personalised, tailored service to meet individual needs. This service, which may include a qualification, is underpinned by Service Guarantees to ensure all participants get the support they need.

Jobseeker's Allowance (JSA) claimants, aged 18 to 24 years old, are required under the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014, to participate on S2S when they have been in receipt of that benefit for nine months. JSA claimants who are referred to S2S must attend and participate on the programme in order to maintain their entitlement to benefit. S2S, therefore, takes precedence over other employability programmes which are not mandatory.



- (ii) Where a JSA claimant reaches their S2S eligibility point and is participating on another programme, my Department's Employment Service Advisers can consider deferring the S2S referral. This deferral can be up to 90 days and should allow the client time to complete the programme they have started and, where possible, move into employment. This deferral should remove any challenge to young people completing other programmes when they reach the required trigger point to participate on S2S. Clients will be referred to S2S at the end of the deferral period if they have not found employment and are still claiming JSA.

**Ms Sugden** asked the Minister for Employment and Learning how the individual needs, circumstances and capabilities of young people on Jobseeker's Allowance are assessed so that they are directed onto programmes which develop skills and provide qualifications in the most appropriate way for them.

**(AQW 50172/11-16)**

**Dr Farry:** My Department, through the Employment Service, provides a tailored one to one service available to all clients including young people on Jobseeker's Allowance, the aim of which is to identify and work to overcome barriers to employment. Employment Service Advisers deliver this tailored service in our network of 35 frontline Jobs & Benefits offices and JobCentres across Northern Ireland, applying a Work Readiness Toolkit at each interview. Using this Toolkit, an adviser discusses and considers a wide range of personal circumstances with individual clients including:

- work history, qualifications, skills, strengths and abilities; and
- realistic employment goals in relation to local labour market needs;
- job search activity and skills;
- any barriers preventing them from securing sustainable employment and the areas of need which should be addressed, e.g. caring responsibilities, health issues;
- the elements of provision available to overcome any barriers identified and any specialist assistance required.

Having gathered this information, advisers are able to assess a client's employability and subsequently, what activities may be required to improve his/her employability and ultimately, to move him/her into sustained employment.

The Employment Service works closely with the Careers Service, referring individuals who would benefit from additional help.

My Department's Careers Service offers impartial and personalised advice and guidance on an all-age basis, provided by professionally qualified advisers. Their aim is to support individuals to make informed decisions about the opportunities available in education, training and apprenticeships to help them fulfil their potential, leading to rewarding and sustained employment. Professionally qualified careers advisers are based in Careers Resource Centres, Jobs & Benefits offices and JobCentres throughout Northern Ireland.

**Mr McKay** asked the Minister for Employment and Learning how he plans to support employees at the Michelin factory in Ballymena to ensure that they find other employment ahead of the plant's closure.

**(AQW 50262/11-16)**

**Dr Farry:** It is deeply regrettable that Michelin is proposing to close its production facility in Ballymena by mid 2018, with the potential loss of 860 jobs. Your constituency of North Antrim will be one of several affected by the announcement.

To date I have met with the Minister for the Department of Enterprise, Trade and Investment and Invest Northern Ireland to discuss this issue and together we will be meeting with local senior management of Michelin on Friday 6 November. Following that meeting we will also be meeting with Mid and East Antrim Borough Council representatives including the Mayor, the Chief Executive and the Economic Development Officer.

My officials will follow up with Michelin to advise them in more detail of the services available through my Department for those who are working in the plant and may become redundant when it closes.

I will ensure that, over the coming months, my Officials 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 Michelin employees. This service is delivered free of charge to the company and employees facing redundancy.

My staff in Ballymena Jobs and Benefits Office will be identifying a dedicated team to provide immediate advice and support should any of the employees facing redundancy require immediate assistance. This will 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, in particular the Northern Regional College (NRC) with support from the five other colleges, has a key role in providing assistance to individual employees. My officials and I will ensure that NRC maintains regular contact with Michelin so that employees are made aware of the assistance that the colleges can provide.

As I am sure you know, NRC is a centre of excellence in engineering, and has worked with companies such as Michelin and 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, and they are currently working with JTI Gallaher to assist staff due to be made redundant next year.

I chair the Advanced Manufacturing and Engineering Services Working Group, and I will ask members to consider if any of their current or future vacancies will be suitable for any of the skilled Michelin staff.

I will also call upon the wider engineering sector to consider the Michelin workforce in any current or future job opportunities that they may have.

## Department of Enterprise, Trade and Investment

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment to detail the investment by Invest NI in East Londonderry, excluding any investment provided to Ulster University, since 2011.

**(AQW 48286/11-16)**

**Mr Bell (The Minister of Enterprise, Trade and Investment):** Between 1st April 2011 and 31st March 2015, Invest NI offered assistance worth £10.55 million to businesses located in the East Londonderry constituency area. This support led to a total investment in the area of £44.22 million and does not include assistance offered to the University of Ulster.

**Mr Cochrane-Watson** asked the Minister of Enterprise, Trade and Investment whether any of his departmental responsibilities have been affected by the actions of any proscribed organisations since 2011.

**(AQW 48301/11-16)**

**Mr Bell:** None.

**Mrs Cochrane** asked the Minister of Enterprise, Trade and Investment whether there are any plans to introduce a productivity target for businesses.

**(AQW 48338/11-16)**

**Mr Bell:** The Executive's economic priority is to improve economic competitiveness in order to create employment and prosperity. Research carried out to inform the development of the Executive's Economic Strategy indicated that it is exposure to external markets that drives productivity improvements in individual businesses and in regional economies such as Northern Ireland.

That is why the Economic Strategy very clearly puts export-led economic growth at the centre of our ambitions. We are doing this by pursuing greater investment in Research & Development and Innovation, by developing our skills base and by supporting local SMEs to develop supply chain linkages.

I believe that achievement of the long term objectives of the Economic Strategy will improve Northern Ireland's economic competitiveness and help lead to convergence with the UK economy on a range of key indicators including productivity performance.

**Mrs Cochrane** asked the Minister of Enterprise, Trade and Investment, in light of the recent cuts to the public sector and the resulting reduction in aggregate demand, whether discussions have taken place on measures aimed at increasing private sector spend; and whether the Department of Finance and Personnel have been involved in these discussions.

**(AQW 48339/11-16)**

**Mr Bell:** The Executive's Economic Strategy sets out a long term vision to rebalance the NI economy to create a larger and more export-driven private sector.

Departments across the Executive are making significant progress in implementing their Economic Strategy commitments. It is this activity that will, in the longer term, improve the competitiveness of the local economy and deliver higher levels of sustainable growth and prosperity.

The Executive Sub-Committee on the Economy is responsible for monitoring progress in implementing the Economic Strategy actions and will later this autumn publish its third annual monitoring report. The progress reports from years one and two are available on the following links:

- <http://www.northernireland.gov.uk/ni-economic-strategy-first-annual-monitoring-report-2013.pdf>
- <http://www.northernireland.gov.uk/nies-second-annual-monitoring-report-2014.pdf>

The Economic Strategy was designed as a living document to be reviewed and refreshed to meet changing economic conditions. The Executive Committee for the Economy, which I chair, will begin the process of reviewing and refocusing the Northern Ireland Economic Strategy, to set out the key drivers for growing the Northern Ireland economy now that local economic conditions are improving.

A key component in this process will be Corporation Tax which has the potential to transform the local economy, drive job creation and boost living standards. Securing and implementing the powers to lower the rate of Corporation Tax remains a

key priority for the Executive to promote the growth of the private sector and I have been working closely with the Minister for Finance and Personnel and other Executive Ministers to help make this happen.

I believe that having control of this power, and subsequently lowering the rate, could enable the rebalancing of the local economy towards greater private sector led and value added growth more quickly than if we were solely reliant upon those policy levers which are currently available.

The refocused Economic Strategy will include actions and targets which will seek to maximise the anticipated benefits of a lower rate of Corporation Tax in Northern Ireland in an affordable manner, subject to the Executive meeting the conditions in the Stormont House agreement.

**Mrs Cochrane** asked the Minister of Enterprise, Trade and Investment what consultations will take place in the next year on facilitating growth in small and medium sized enterprises.

**(AQW 48340/11-16)**

**Mr Bell:** In line with the development of the next Programme for Government, DETI and its bodies, as part of their corporate planning process, will be consulting and engaging with local stakeholders and businesses to communicate high level strategic priorities for the period 2016-2021. These priorities will be key in driving the future growth and development of our local businesses, including our vibrant SME base.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment (i) to detail the set sub-regional level job-related targets for Invest NI; (ii) whether these targets were met for 2014/15, and (iii) whether they are due to be met in 2015/16.

**(AQW 48372/11-16)**

**Mr Bell:** The Northern Ireland Executive's Programme for Government focuses on job creation for Northern Ireland as a whole and does not include sub-regional targets. As Invest NI's targets flow from the Programme for Government its job creation targets are also focused on Northern Ireland as a whole.

However, in terms of local economic development, Invest NI continues to work closely with councils to support them to develop and grow their local economy. In support of this Invest NI has been named as a statutory partner in the Community Planning process and will actively work with the councils to develop and grow plans for each council area.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what progress has been made on introducing contestability for electricity grid connections.

**(AQW 48406/11-16)**

**Mr Bell:** On 31 July 2015 the Regulator published a decision paper on the framework for delivery of contestability which can be accessed at the following link:

[http://www.uregni.gov.uk/uploads/publications/Contestability\\_in\\_Connections\\_-\\_final\\_decision\\_paper\\_-\\_July\\_2015.pdf](http://www.uregni.gov.uk/uploads/publications/Contestability_in_Connections_-_final_decision_paper_-_July_2015.pdf)

The decision paper sets out those activities which are considered contestable and non-contestable. The Regulator proposes to introduce contestable arrangements on a phased approach, initially targeting some large scale connections in early 2016.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment how much is being paid annually in fees, or otherwise, to the Joint Supervisors of the Presbyterian Mutual Society administration.

**(AQW 48423/11-16)**

**Mr Bell:** The fees paid to the Joint Supervisors in the year to 31 March 2015 was £1,044,184 as published in the Society's Accounts. The level of fees paid in each year is dependent on the level of work undertaken by the Joint Supervisors in that year.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, in relation to (i) the express terms of the Scheme of Arrangement approved by the High Court in respect of the Presbyterian Mutual Society bail out; (ii) the express terms of the letter of 29 March 2011 from his Department to the administrator; (iii) the express terms of SR 2011 No. 142; and (iv) the repeated affirmations in the Assembly, answers to Assembly Questions and in the press to the effect that the £25m from HM Treasury was a gift and not a loan, why this £25m is now classified as a loan to be repaid; and to whom will it be repaid and to whose benefit.

**(AQW 48424/11-16)**

**Mr Bell:** I refer to the answer to AQW 44074/11-15 which explained that the £25 million supplied by HM Treasury is being treated by the Presbyterian Mutual Society in its accounts as a liability to be repaid to the Department; it is not a repayment to HM Treasury. This is also consistent with the answer to AQW 4144/11 which confirmed that the Northern Ireland Executive is not required to repay the £25 million to the Treasury but that did not mean that the funds provided to the Society are not to be repaid. The treatment of the £25 million complies with the relevant legislation.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment to detail the number of new and existing Social Enterprises that have received support from the Social Enterprise Employment Grant scheme since 2013, broken down by constituency.

**(AQW 48477/11-16)**

**Mr Bell:** Twenty three new and existing social enterprises have received Social Enterprise Employment Grant assistance under The Jobs Fund since the 1st April 2013. The breakdown of groups by Parliamentary Constituency Area (PCA) is as follows:

PCA	Social Enterprises	PCA	Social Enterprises
Belfast East	1	Lagan Valley	3
Belfast North	1	Newry and Armagh	3
Belfast South	4	North Antrim	1
Belfast West	2	North Down	1
East Antrim	1	South Antrim	3
East Londonderry	1	Upper Bann	1
Foyle	1		

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment to detail the number of new and established Social Enterprises that have received support through Invest Northern Ireland's Social Entrepreneurship Programme since its inception, broken down by constituency.

**(AQW 48478/11-16)**

**Mr Bell:** Invest NI's Social Entrepreneurship Programme (SEP) ran from January 2013 until July 2015. During that time 253 new and established groups from the community and voluntary sectors have participated on the programme. The breakdown of groups by Parliamentary Constituency Area (PCA) is as follows:

PCA	Groups that received SEP support	PCA	Groups that received SEP support
Belfast North	21	North Antrim	10
Belfast South	24	Foyle	17
Belfast East	11	East Londonderry	14
Belfast West	31	Mid Ulster	17
Lagan Valley	13	Fermanagh & South Tyrone	11
North Down	6	Newry & Mourne	27
South Down	8	West Tyrone	14
South Antrim	3	Upper Bann	4
East Antrim	16	Strangford	6

**Mrs Hale** asked the Minister of Enterprise, Trade and Investment to detail (i) the number of quarries that supply Greywacke; and (ii) the tonnage they extract annually.

**(AQW 48487/11-16)**

**Mr Bell:** The Department does not hold this information.

**Mr McKinney** asked the Minister of Enterprise, Trade and Investment for an update on his Department's exports strategy.

**(AQW 48500/11-16)**

**Mr Bell:** The Executive's Economic Strategy clearly identified that the route to economic success would come through a renewed focus on export-led economic growth and this remains a key priority for the Executive going forward.

My Department, working with Invest NI and IntertradeIreland has therefore developed a draft Action Plan, 'Export Matters – Enabling the Conditions for Increasing External Sales and Exports in Northern Ireland'.

Export support providers, economists, Chambers of Commerce and local businesses helped shape the final Action Plan following a period of engagement earlier this year.



I have recently received comments from the Enterprise, Trade and Investment Committee and my Department's Economic Advisory Group on the draft Action Plan and a final Action Plan will be published in due course.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment what practical or financial support he can give to large scale manufacturers in North Antrim in relation to energy costs.

**(AQW 48502/11-16)**

**Mr Bell:** Invest NI provides a range of support for businesses to assist with the management of energy costs and for the deployment of renewable energy to help reduce operating costs. This support includes technical advice, action plans and project management support to help businesses implement the most cost effective cost saving opportunities. This technical consultancy covers all areas of resource efficiency including energy.

Invest NI also provides funding for the Energy Efficiency Loan Fund in Northern Ireland which is managed and delivered by Carbon Trust. The Fund offers interest-free loans from £3,000 - £400,000 to Northern Ireland businesses to help them install more energy efficient equipment.

Invest NI also supports process efficiency improvement identification and implementation that may also have a positive impact on energy costs.

**Mr McKinney** asked the Minister of Enterprise, Trade and Investment to detail the (i) date; (ii) times; and (iii) attendees of the Executive Sub-Committee on the Economy.

**(AQW 48503/11-16)**

**Mr Bell:** The table below outlines the dates, times and attendees for each meeting of the Executive Sub-Committee on the Economy, from its establishment in 2010 to the latest meeting in 2015.

Date	Time of the Meeting	Attendees
17th February 2015	2:15pm	Minister Foster DETI (Chair) Minister Hamilton DFP Minister O'Dowd DE Minister Kennedy DRD Junior Minister Bell OFMDFM
30th September 2014	2.00pm	Minister Foster DETI (Chair) Minister Hamilton DFP Minister O'Dowd DE Minister Kennedy DRD Minister Farry DEL Minister Wells DHSSPS (Guest)
24th March 2014	3:30pm	Minister Foster DETI (Chair) Minister Hamilton DFP Minister O'Dowd DE Minister Kennedy DRD Junior Minister McCann OFMDFM Minister Farry DEL
3rd December 2013	4.00pm	Minister Foster DETI (Chair) Minister Hamilton, DFP Minister O'Dowd, DE Minister Kennedy DRD Junior Minister McCann OFMDFM, Junior Minister Bell OFMDFM Minister Farry DEL Guests: Representatives from the Review of Business Red Tape team.
9th September 2013	3:30pm	Minister Foster DETI (Chair) Minister Hamilton, DFP Minister Kennedy DRD Minister Farry, DEL Junior Minister Bell OFMDFM Junior Minister McCann OFMDFM

Date	Time of the Meeting	Attendees
19th March 2013	3:30pm	Minister Foster DETI (Chair) Minister Wilson DFP Minister Kennedy DRD Minister O'Dowd, DE Minister Farry DEL Junior Minister McCann OFMDFM, Junior Minister Bell OFMDFM
11th December 2012	3.00pm	Minister Foster DETI (Chair) Minister Kennedy DRD Junior Minister Bell OFMDFM Junior Minister McCann OFMDFM  Minister McCausland (Guest) Guests: Representatives from the Town Centre Alliance
11th September 2012	1.00pm	Minister Foster DETI (Chair) Minister Wilson DFP Minister Farry DEL Minister Kennedy DRD Minister O'Dowd DE Junior Minister Bell OFMDFM Junior Minister McCann OFMDFM Guests: Lord Heseltine and colleagues
7th June 2012	12:30pm	Minister Foster DETI (Chair) Minister Wilson DFP Minister Farry DEL Minister Kennedy DRD Minister O'Dowd DE Junior Minister Bell OFMDFM Junior Minister Anderson OFMDFM  Minister O'Neill DARD (Guest) Minister Poots DOE (Guest) Guests: EU Commissioner Máire Geoghegan-Quinn and colleagues
23 January 2012	3.00pm	Minister Foster DETI (Chair) Minister Wilson DFP Minister Kennedy DRD Minister Farry DEL Minister O'Dowd DE Junior Minister Bell OFMDFM Junior Minister Anderson OFMDFM
18th October 2011	3.00pm	Minister Foster DETI (Chair) Minister Farry DEL Junior Minister Bell – OFMDFM Junior Minister Anderson – OFMDFM Simon Hamilton, Assembly Private Secretary, DFP Danny Kinahan, Assembly Private Secretary, DRD Minister O'Neill DARD (Guest)
12th September 2011	4.00pm	Minister Foster DETI (Chair) Minister Farry DEL Minister O'Dowd DE Minister Wilson DFP Junior Minister Bell OFMDFM  Simon Hamilton Assembly Private Secretary DFP Danny Kinahan Assembly Private Secretary DRD  Minister Attwood DOE (Guest) Minister McCausland DSD (Guest)

Date	Time of the Meeting	Attendees
27th June 2011	3.00pm	Minister Foster DETI (Chair) Minister Farry DEL Minister Kennedy DRD Minister O'Dowd DE Junior Minister Anderson OFMDFM Junior Minister Bell OFMDFM  Simon Hamilton Assembly Private Secretary DFP
27th September 2010	3:30pm	Minister Foster DETI (Chair) Minister Wilson DFP Minister Ruane DE Minister Murphy DRD Minister Empey DEL Junior Minister Newton OFMDFM
8th July 2010	2.00pm	Minister Foster DETI (Chair) Minister Wilson DFP Minister Ruane DE Minister Murphy DRD Minister Empey Minister DEL Junior Minister Newton OFMDFM
20th May 2010	3.00pm	Minister Foster DETI (Chair) Minister Wilson DFP Minister Ruane DE Minister Murphy DRD Minister Empey DEL Junior Minister Newton OFMDFM

**Mr McKinney** asked the Minister of Enterprise, Trade and Investment for an update on the capital investments being undertaken by his Department in South Belfast.

**(AQW 48549/11-16)**

**Mr Bell:** My Department is undertaking the following Capital investments in South Belfast:

- It is expected that the Belfast Waterfront Hall Conference & Exhibition Centre will receive £11.7 million financial assistance in 2015-16 through Tourism NI.
- Invest NI offers a range of Capital support to businesses across Northern Ireland. This includes Capital grant assistance, property assistance, and a suite of access to finance funds providing debt and equity funding to support business growth and development. Details on Invest NI's Capital investment in 2015-16 disaggregated to constituency level will not be available until after year end results are announced.
- During 2015-16, DETI will be investing to further enhance the Northern Ireland telecommunications infrastructure through the Broadband Improvement Project and Superfast Roll-Out Programme. While postcodes within the South Belfast constituency are included in the intervention area for these projects, it is not possible to disaggregate the level of investment by constituency.
- The Renewable Heat Incentive Scheme provides Capital assistance to domestic properties across Northern Ireland. While Energy Division has not allocated any funding to individual constituencies, the scheme is available to properties located in the South Belfast area. From 1 April 2015 to 11 September 2015, Capital grant of £320 has been provided in respect of domestic renewable heat installations in South Belfast.

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment to detail (i) the amount spent to date on the second north/south Interconnector; (ii) any individual, organisation or company that has received more than £30,000 in total over the lifetime of the project since its inception; (iii) how much each of these companies received; and (iv) what is the anticipated total project cost based on the current plans.

**(AQW 48573/11-16)**

**Mr Bell:** My Department does not hold this information. The project developers, SONI and EirGrid, currently estimate total capital costs to be around €300million.

**Mrs Hale** asked the Minister of Enterprise, Trade and Investment whether there any plans to improve broadband supply and connection for the BT25 2HD postcode area.

**(AQW 48648/11-16)**

**Mr Bell:** I would refer the Member to the reply to AQW 46573/11-15.

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment (i) whether Executive approval would be required for his Department to issue a consent to install a second north/south interconnector under Article 40 of the Electricity (NI) Order 1992; (ii) at what stage of the process would he need to request such approval; and (iii) what alternatives his Department, along with NIE, SONI and Eirgid, are exploring in the event that Executive support for an overhead interconnector is not forthcoming.

**(AQW 48683/11-16)**

**Mr Bell:** No Executive approval is required for consent under Article 40 of the Electricity (Northern Ireland) Order 1992 for this or any other line which falls within the provisions of the Article.

**Mr McKinney** asked the Minister of Enterprise, Trade and Investment for his assessment of the knowledge economy in Northern Ireland.

**(AQW 49167/11-16)**

**Mr Bell:** The recently published Knowledge Economy Index shows that for the second year running Northern Ireland has the second fastest growing knowledge economy in the UK. The Knowledge Economy now plays a key role in driving economic growth and prosperity in Northern Ireland. It makes up 5% of the economy and directly employs nearly 38,000 people. These employees earn 50% more than the average Northern Ireland salary and the companies have sales of over £4.4 billion, with 85% of those outside of Northern Ireland.

While I very much welcome the findings of the report, much more work remains to be done to transform the Northern Ireland economy into one that is truly knowledge based. Central to that is encouraging and supporting many more of our companies to engage in innovation and collaboration. The Northern Ireland Innovation Strategy sets out a range of actions designed to achieve this and my Department continues to work with a range of key stakeholders such as the Northern Ireland Science Park, our Universities and Colleges and the private sector to deliver this.

**Mr Rogers** asked the Minister of Enterprise, Trade and Investment to outline any stimulus packages in place to assist the sustainable growth of small and medium sized enterprises.

**(AQW 49168/11-16)**

**Mr Bell:** Invest NI presently offers a wide range of financial and non-financial support packages to assist the sustainable growth and development of SME businesses. Indeed as the vast majority of Northern Ireland's business base are SMEs (over 99% of NI's total business base), Invest NI's operational approach is specifically tailored to meet their needs. In 2014/15, 91% of Invest NI's offers for support were made to SMEs and 93% of the businesses supported by Invest NI were SMEs.

Broadly, Invest NI's support is focused across five key areas:

- Starting a Business;
- Growing a business;
- Maximising Efficiencies;
- Product Development; and
- International Trade and Investment.

Invest NI's support programmes aim to assist the sustainable growth of SMEs by offering access to finance and property support and helping them to embrace and exploit Research and Development, Innovation, Skills Development, Resource Efficiency, eBusiness and Trade & Export assistance.

**Mr Rogers** asked the Minister of Enterprise, Trade and Investment to outline his Department's investment in South Down in each of the last 5 years.

**(AQW 49173/11-16)**

**Mr Bell:**

Year	Investment (£)				Telecoms**
	Energy	ESU	Tourism	Invest*	
2010/11	Nil	Nil	1,794,906	1,060,000	8,948,757
2011/12	Nil	122,630	1,991,194	2,830,000	2,452,695
2012/13	61,000	2,200,000	458,542	2,360,000	Nil
2013/14	188,000	Nil	27,500	3,490,000	4,500,000
2014/15	514,000	Nil	180,000	5,120,000	11,000,002

\* Offers of assistance.

\*\* Reflects the amount invested in telecommunications projects across Northern Ireland. It is not possible to disaggregate expenditure on a constituency basis due to the nature of the projects.



**Mr Rogers** asked the Minister of Enterprise, Trade and Investment how periods of Ministerial absence impact on his Department's effectiveness.  
(AQW 49175/11-16)

**Mr Bell:** My Department continued to plan for and deliver on the policies and measures that I had previously approved. When occasions arose where an urgent Ministerial decision was required, I had set in place arrangements to ensure that this was managed effectively.

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment what discussions he has had, or plans to have, about increasing the direct connections from Belfast International and George Best Belfast City airports, in particular to Istanbul and Bodrum.  
(AQW 49181/11-16)

**Mr Bell:** Officials in my department and Invest NI are in regular dialogue with all of Northern Ireland's airports and airlines to help bring new air services to Northern Ireland and to promote existing services.

However, while under development these discussions are of a commercially sensitive and confidential nature.

As a major hub airport, a direct service to Istanbul would provide access to a wide range of key emerging tourism and exports markets.

Should such a service be introduced to Northern Ireland, my officials and Tourism Ireland would work with key stakeholders to highlight and promote this route in key markets overseas.

My predecessor met the Turkish Ambassador on his last visit to Northern Ireland to discuss a range of issues including air connectivity.

I must also note that we will be hosting Routes Europe in Belfast in 2017 which provides an opportunity to bring influential decision makers into the region and that this conference has the potential to accelerate route development for both Belfast and Northern Ireland. Routes Europe is also a chance to showcase all that there is on offer here for airlines, tourists, businesses and potential inward investors with the likely attendance of over 1,200 delegates including representatives from the region's leading airlines and airports, tourism authorities and other key industry stakeholders.

**Mr Dickson** asked the Minister of Enterprise, Trade and Investment what impact the current instability is having on his Department's ability to attract foreign investment.  
(AQW 49182/11-16)

**Mr Bell:** Invest NI has experienced considerable success in promoting Northern Ireland as a location that can meet the needs of international investors. The business proposition, based on a skilled workforce, competitive operating costs and advanced infrastructure in a strategic location, has not changed. There is no evidence to suggest that any potential investors have changed their plans as a result of the current political situation.

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment whether plans exist to attract cross-border tourism by extending the Wild Atlantic Way.  
(AQW 49184/11-16)

**Mr Bell:** Both the Causeway Coastal Route and the Wild Atlantic Way are signposted, where one route ends and the other begins – inviting visitors to continue their journey.

The Causeway Coastal Route and the Wild Atlantic Way are both currently promoted alongside each other in Tourism Ireland's marketing campaigns in its twenty three markets overseas. Car touring holidays are an important feature of Tourism Ireland campaigns, as research shows that visitors who come here by car, or who hire one while here, tend to tour more widely, stay longer and spend more.

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment what discussions he has had with airlines on the provision of direct routes between Belfast International Airport and German-speaking Europe.  
(AQW 49185/11-16)

**Mr Bell:** Both myself and my officials have met with a number of airlines to explore opportunities for improving our air access to key markets. Direct access to Germany in particular is a priority, however discussions about specific air routes and airlines are of a commercially sensitive and confidential nature.

The recent announcement that Brussel Airlines will run a 5 day a week service from George Best Belfast City Airport to Brussels starting March 2016 is to be welcomed.

I must also note that we will be hosting Routes Europe in Belfast in 2017 which provides an opportunity to bring influential decision makers into the region and that this conference has the potential to accelerate route development for both Belfast and Northern Ireland. Routes Europe is also a chance to showcase all that there is on offer here for airlines, tourists, businesses and potential inward investors with the likely attendance of over 1,200 delegates including representatives from the region's leading airlines and airports, tourism authorities and other key industry stakeholders.

**Mr Lunn** asked the Minister of Enterprise, Trade and Investment what discussions he has had with airlines and airport management on improved air connections from Belfast International Airport to Scandinavia.

**(AQW 49187/11-16)**

**Mr Bell:** Both myself and my officials have met with a number of airlines to explore opportunities for improving our air access to key markets. Direct access to Scandinavia in particular is a priority, however discussions about specific air routes and airlines are of a commercially sensitive and confidential nature.

The recent announcement that Brussel Airlines will run a 5 day a week service from George Best Belfast City Airport to Brussels starting March 2016 is to be welcomed.

I must also note that we will be hosting Routes Europe in Belfast in 2017 which provides an opportunity to bring influential decision makers into the region and that this conference has the potential to accelerate route development for both Belfast and Northern Ireland. Routes Europe is also a chance to showcase all that there is on offer here for airlines, tourists, businesses and potential inward investors with the likely attendance of over 1,200 delegates including representatives from the region's leading airlines and airports, tourism authorities and other key industry stakeholders.

**Mr McKinney** asked the Minister of Enterprise, Trade and Investment to detail the support he is giving to the small and medium sized retail sector in relation to (i) business rates; (ii) reducing red tape; and (iii) planning.

**(AQW 49188/11-16)**

**Mr Bell:** The policy responsibility for retail presently cuts across a number of Departments including DETI, DSD, DRD, DOE and DFP. Support for business rates and planning is the responsibility of DFP and DOE respectively.

My Department has policy lead on better regulation on behalf of the Executive. The Executive is committed to reducing regulatory burden on all business, including the retail sector. Work is underway to develop a strategic approach across the Northern Ireland public sector which will provide an effective structure to move forward.

**Mr McKinney** asked the Minister of Enterprise, Trade and Investment for his assessment of the effectiveness of joined-up Government in growing the economy.

**(AQW 49190/11-16)**

**Mr Bell:** The Northern Ireland Economic Strategy (NIES) was agreed by the Executive in March 2012 and includes commitments from all Government Departments. To date Departments across the Executive have been progressing their NIES commitments which has contributed to a positive shift in the Northern Ireland economy. This progress is outlined in the Northern Ireland Economic Strategy annual monitoring reports which can be accessed at the link below:

- <http://www.northernireland.gov.uk/ni-economic-strategy-first-annual-monitoring-report-2013.pdf>
- <http://www.northernireland.gov.uk/nies-second-annual-monitoring-report-2014.pdf>

The proposed restructuring of Government Departments will provide a further opportunity for more joined-up working across the Executive. The creation of a new Department for the Economy, for example, will better align the core economic functions under one Department.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment to detail the level of Government investment in the Agri-Food industry, in order to leverage investment from the industry, since 2013.

**(AQW 49194/11-16)**

**Mr Bell:** Since 2013 to date my Department, through Invest NI, has invested £33.77 million in food manufacturing businesses in the Agri Food industry. This has leveraged a total planned investment by the industry of £402.44 million.

Further investment of £5 million was offered to assist establish and operate a Competence Centre for the Agri Food industry to invest in Research & Development.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment how employment and sales within the Agri-Food sector have increased since the launch of the Agri-Food Strategy in 2013; and whether employment and sales figures are on track to meet targets.

**(AQW 49195/11-16)**

**Mr Bell:** The Agri-Food Strategy Board's report, "Going for Growth" was launched on 16th May 2013, and set the following industry targets for sales and employment in the Agri-food sector. By 2020:

- Grow sales by 60% to over £7billion;
- Grow employment by 15% to over 115,000;
- Grow sales outside NI by 75% to £4.5billion.

DARD annually publish statistics on the "size and performance of the NI food and drinks processing sector", which are publically available to download from:

<http://www.dardni.gov.uk/size-and-performance-of-the-ni-food-and-drinks-processing-sector.htm>

The latest available figures relate to 2013, with provisional estimates for 2014:

- Turnover was £4.772billion in 2014, an increase of 5.8% on 2013.
- External Sales were £3.304billion in 2013, an increase of 11.1% on 2012.

In terms of employment, the Agri-Food Strategy Board's baseline assessment of employment of 100,000 in 2010 is composed of:

- Total Agricultural Labour Force;
- Employment in food and drink processing; and
- Employment in the wider economy linked to the agri-food sector, such as haulage, packaging, hospitality and tourism.

The latest available recorded figures from the DARD Agricultural Census in Northern Ireland 2014 indicate that:

- The Total Agricultural Labour Force was 47,900 in 2014, an increase of 0.2% on 2013.
- Direct Employment in Food and Drink Processing (Full-time equivalents) was 21,783 in 2014, an increase of 2.0% on 2013.
- No figures were available in respect of employment in the wider economy.

As the latest available figures relate to the year of, and the year following, publication of the AFSB's report, while it appears that performance is broadly on track to meet the AFSB's targets to 2020, a time series of data is not yet available to measure the impact of the AFSB's strategy on employment and sales.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment how his Department is working with the Department of Agriculture and Rural Development to support Agri-Food businesses in East Londonderry.

**(AQW 49196/11-16)**

**Mr Bell:** Since 2013 my Department and Invest NI has been jointly working with the Department of Agriculture and Rural Development to support agri-food businesses across Northern Ireland.

In 2013 Minister Foster endorsed the recommendations in the Agri Food Strategy Board's "Going for Growth" report and Invest NI continues to work to support the delivery of these recommendations.

In 2014/15, Invest NI offered Agri-Food businesses in East Londonderry over £0.25 million of support towards a total planned investment of £0.9 million.

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment for his assessment of the prospects for attracting further inward investors to the Causeway Coast area, once the Enterprise Zone has been established in Coleraine.

**(AQW 49280/11-16)**

**Mr Bell:** Invest NI's International Investment Division is aware of the potential benefits of the Enterprise Zone designation and of the wider proposition in the Causeway Coast and Glens Borough Council area. The team travelled to Coleraine on 2 October 2015 to meet with the Council and representatives of Ulster University and North West College. A number of local companies, both indigenous and externally-owned, also shared their experiences of doing business in the area.

The establishment of the Enterprise Zone would increase the marketing proposition for the region and may primarily favour capital intensive projects. While capital intensive projects tend to promote lower employment numbers, there would also be significant benefits in securing an anchor tenant, thereby creating a supply chain or enabler for other companies to locate in the area. For example, the proposed data centre investment could provide an incentive for other high tech businesses to locate in, or close to, the Enterprise Zone.

Invest NI will monitor the progress of the designation and will factor the benefits that it brings into the overall business proposition.

**Mr Lyttle** asked the Minister of Enterprise, Trade and Investment what action will be taken against former members of the NI Events Company board further to its significant failures; and what action will be taken to ensure such failures are not repeated by other boards.

**(AQW 49355/11-16)**

**Mr Bell:** My Department has considered the report of the company inspectors on the Northern Ireland Events Company Limited. Subject to consideration of any responses to pre proceedings letters, which have issued to a number of board members, my Department presently considers it is expedient, in the public interest, to issue directors disqualification proceedings.

The Public Accounts Committee (PAC) will, in due course, produce a report on the Northern Ireland Events Company Limited to which the Department of Finance and Personnel (DFP) will formally respond in a Memorandum of Reply. My Department will consider carefully any recommendations made by the Public Accounts Committee which have been accepted by DFP and are relevant to boards of DETI's arm's length bodies.

**Ms Lo** asked the Minister of Enterprise, Trade and Investment when he will bring forward a further closure order on the NI Renewables Obligation regarding off-shore wind developments.

**(AQW 49468/11-16)**

**Mr Bell:** Offshore generating stations which are located within Northern Ireland territorial waters receive Renewables Obligation Certificates issued under the Renewables Obligation (RO) for England and Wales. Closure of the RO in England and Wales has already been legislated for under the Renewables Obligation Closure Order 2014 (S.I. 2014 No. 2388). There are currently no offshore wind generating stations operating in Northern Ireland waters.

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment (i) why the Warm Homes Discount Scheme does not apply to local domestic electricity users; and (ii) what discussions he has had with the Secretary of State for Energy and Climate Change on bringing this scheme to Northern Ireland.

**(AQW 49469/11-16)**

**Mr Bell:** The GB and Northern Ireland Energy markets are different in a number of respects, most notably size. The GB scheme is paid for by a charge levied on all domestic customers in GB. The costs of implementing and administering a scheme in Northern Ireland similar to the GB Scheme would be disproportionately high given our small market size and would lead to higher bills for many customers, including, potentially, those in or close to fuel poverty.

My Department has discussed this issue at length with the Department of Energy and Climate Change and it has no plans to extend the GB scheme, which is in any event currently scheduled to finish this year, to Northern Ireland.

**Mr G Robinson** asked the Minister of Enterprise, Trade and Investment what plans are in place for the introduction of high speed broadband to the BT49 0QY area.

**(AQW 49473/11-16)**

**Mr Bell:** In February 2014, my Department contracted BT to deliver the Northern Ireland Broadband Improvement Project (NIBIP) which will extend the availability of basic and superfast broadband to those who have limited choice across Northern Ireland, particularly in rural areas.

I can confirm that improvements are due to take place in the BT49 0\*\* postcode area in the latter phases of the project with a completion date of 31 December 2015. Further details on the project can be found on the NI Direct platform at: <http://www.nidirect.gov.uk/index/information-and-services/leisure-home-and-community/technology-and-online-services/broadband-improvement-project.htm>.

Recognising that NIBIP will not deliver superfast broadband to all premises, my Department, in February 2015, awarded a further contract to BT for the delivery of the Superfast Roll-out Programme (SRP). This project will provide superfast broadband improvements for almost 39,000 premises across Northern Ireland by December 2017. An extensive survey and design process is underway and will take several months to complete. The post code area BT49 0\*\* is included under the intervention area of this project. However, until the survey and design process is completed, it will not be possible to say which individual postcodes will benefit from the upgrades. Further details on roll-out will be published on the NI Direct platform when this becomes available.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment what savings have been made by his Department within the 2015/16 budgetary allocations.

**(AQW 49476/11-16)**

**Mr Bell:** As part of the Budget 2015/16 allocations, my department made savings totalling £27.9 million.

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment for his assessment of the impact that the sale of The Bite Group to Adelle Foods Group will have on the local sandwich sector.

**(AQW 49477/11-16)**

**Mr Bell:** The purchase of Bite Snack Foods Ltd out of administration by Adelle Foods Group was reported to have taken place on Friday 2nd October 2015. In the short intervening period neither I, nor my officials in Invest NI, have had the opportunity to engage with representatives of Adelle to discuss their future plans. As such, an assessment of the impact on the local sandwich sector cannot be made at this time.

Invest NI officials hope to meet with representatives of Adelle in the near future.

In respect of support to companies within the local sandwich sector, Invest NI will continue to assess applications on a case by case basis and the potential for displacement will be rigorously challenged in line with the recommendations of the sector study.

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment what communications he, or his Department, has had with the Cerberus investment fund ahead of the sale of The Bites Group to Adelle Foods Group.

**(AQW 49478/11-16)**

**Mr Bell:** Invest NI has had no communication with the Cerberus investment fund in relation to the sale of Bite Snack Foods Ltd to Adelle Foods Group.



**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment to detail the support provided by Invest NI to The Bites Group prior to its sale to Adelie Foods Group; and whether Invest NI will be seeking to recoup this investment.

**(AQW 49479/11-16)**

**Mr Bell:** In the last five years Invest NI has offered Bite Snack Foods Ltd a total of £153,382, £145,882 of which has been drawn down by the company.

Invest NI has calculated that the amount recoverable from Bite Snack Foods Ltd, which includes interest, is £194,268 and will pursue clawback of the total amount through all available channels.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment to outline the current status of the moratorium that was in place to prevent lignite being mined in North Antrim.

**(AQW 49480/11-16)**

**Mr Bell:** The moratorium on Mineral Prospecting for Lignite has expired. DETI is continuing to work towards launching a public consultation exercise on a revised policy on lignite and a proposal for a new moratorium that would extend to cover both prospecting and extraction.

DETI's stated policy on lignite is that the lignite deposits near Ballymoney and around Lough Neagh (Crumlin, Coagh) are mineral resources of strategic importance to Northern Ireland which should be protected, so far as is practical, from undue sterilisation from surface development.

Whilst the formal moratorium has expired the above Departmental policy continues to apply and will remain in place until the public consultation exercise has been completed and the outcomes are known.

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment to detail the events that he has (i) hosted; and (ii) attended since coming to office which were aimed at assisting dairy farmers who are receiving below farm gate prices.

**(AQW 49489/11-16)**

**Mr Bell:** Since coming to office I have hosted and/or attended the following events specifically involving the dairy industry:

<b>14 May 2015</b>	<b>Ulster Bank Lunch - Balmoral Show</b>
20 May 2015	Meeting with Tony O'Neill, Chair of Agri-Food Strategy Board
05 June 2015	Meeting with representatives of Dairy Council NI to discuss the effects of the declining milk price on the dairy supply chain and to discuss the Dairy Council's Third Country Export Programme.
08 June 2015	Hosted a dinner for inward buyers from the Far East as part of the Dairy Council's Third Country Export Programme.
17 June 2015	BDO Agri Food In Camera Dinner
09 July 2015	Jointly hosted, with DARD Minister, a meeting with the Agri-Food Strategy Board
02 September 2015	Official opening of Lakeland Dairies' new £8m Global Logistics Centre based at L.E. Pritchitt Ltd in Newtownards.
07 September 2015	Hosted a second dinner for inward buyers from the Middle East as part of the Dairy Council's Third Country Export Programme

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what consideration he has given to linking Northern Ireland's renewable energy subsidies with the subsidy mechanism in the Republic of Ireland on the ending of the Renewable Obligations Certificates.

**(AQW 49496/11-16)**

**Mr Bell:** My predecessor issued a discussion paper on the implementation of Contracts for Difference (CFD) in Northern Ireland in March. This paper highlighted the key balance to be drawn between further support for new renewable development under the UK wide CFD scheme and costs to consumers.

Given the UK Government's manifesto commitment to stop any future subsidies for onshore wind, it is sensible to take account of DECC's expected announcement on the matter in due course. This will enable the Northern Ireland Executive to decide whether the CFD scheme should be extended to Northern Ireland, and my Department to consider other options, as necessary.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment what proportion of the land bank held by Invest NI is within a flood plain or is otherwise limited due to environmental factors.

**(AQW 49675/11-16)**

**Mr Bell:** A majority of Invest NI's land holding was inherited by the agency from the Industrial Development Board and as such it does not hold the requested information across the entirety of its property portfolio.

The organisation is however aware of an area within its Woodside Road Industrial Estate which prevailing planning policy has determined is within a floodplain. This has not adversely impacted Invest NI's ability to attract investment to the Ballymena area.

Environmental factors such as the potential for land to flood have been an important consideration for Invest NI in respect of any capital projects it has taken forward. Recent developments, such as those in Newry and Strabane, have taken full account of proximity of watercourses both prior to acquisition and through the design and planning process to maximise their potential for economic development.

Where floodplain areas are identified Invest NI will work closely with stakeholders to ensure an appropriate outcome can be achieved.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment to outline his Department's plan to support the continued development of small scale wind and household solar projects following the closure of the Northern Ireland Renewables Obligation.

**(AQW 49699/11-16)**

**Mr Bell:** The Northern Ireland Renewables Obligation provides a 20 year commitment of support to renewable generation and will continue to do so up to 2037. This is likely to further increase the level of renewable electricity to close to 30% by 2020.

The Department of Energy and Climate Change (DECC) has recently consulted on a review of the GB small scale Feed-in Tariff (FIT) scheme, but do not propose to extend small scale FITs to Northern Ireland. The outcome of this consultation, along with DECC's expected announcement on onshore wind allocations in the Contracts for Difference (CfD) scheme, will inform future policy direction in Northern Ireland.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment (i) to detail the percentage of wind turbines that are owned by individuals, farmers and communities; (ii) whether any targets exist for the extent to which renewable energy ought to be owned by individuals, farmers and communities; and (iii) how Northern Ireland's performance compares with Germany, where over 65 per cent of the turbines and solar panels are owned by individuals, farmers and communities.

**(AQW 49700/11-16)**

**Mr Bell:**

- (i) The Department does not hold information on the breakdown of ownership of wind turbines in Northern Ireland.
- (ii) There are no targets in relation to renewable energy ownership.
- (iii) As at (i) above.

**Mr Allen** asked the Minister of Enterprise, Trade and Investment whether he is aware of any contracts secured by Harland and Wolff Shipyard over the last twelve months.

**(AQW 49701/11-16)**

**Mr Bell:** In the last 12 months Harland and Wolff has executed a number of projects including a very significant mobile offshore drilling rig contract within the Oil & Gas sector. The aforementioned project ran from January 15 to July 15. The company has also continued to successfully execute projects in the general Ship Repair, Fabrication and Engineering sectors throughout 2015.

Notwithstanding the challenging market conditions in the Oil & Gas and Offshore Renewable sectors for all UK fabrication facilities, the company continues to actively seek out opportunities in these sectors, however, given commercial sensitivities it would be not appropriate to comment further on individual opportunities. Despite an extremely competitive situation in the general Ship Repair sector, the company has secured contracts going forward for Quarter 4 2015 and into 2016.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to list all engagements he attended and the work he carried out as Minister between 9 and 14 October 2015.

**(AQW 50010/11-16)**

**Mr Bell:** I met with senior Departmental officials to discuss and clear urgent Departmental business.

**Mr Rogers** asked the Minister of Enterprise, Trade and Investment, in light of the early closure of the Renewables Obligation scheme, what support mechanisms are being put in place for farmers that have invested in planning applications, grid connection or wind turbines but whose application is unlikely to meet the new deadline.

**(AQW 50031/11-16)**

**Mr Bell:** Consultation on the closure of the Northern Ireland Renewables Obligation Scheme to onshore wind in 2016 ended on 14 October 2015. Following consideration of the large number of responses received I will publish my decisions in due course.

**Mr Rogers** asked the Minister of Enterprise, Trade and Investment, in light of the closure of the Renewables Obligation scheme, what support mechanism will be put in place for small engineering works who have commenced production of wind turbines or their components which are unlikely to be installed as the farmers' applications are unlikely to meet the new deadline.

**(AQW 50032/11-16)**

**Mr Bell:** Consultation on closure of the Northern Ireland Renewables Obligation to onshore wind ended on 14 October 2015. Following consideration of the large number of responses received I will publish my decisions in due course.

Invest NI is happy to assist any company in this sector to explore other potential market opportunities.

**Mr Rogers** asked the Minister of Enterprise, Trade and Investment to detail the discussions he has had with the Department of Energy and Climate Change on the early closure of the Renewables Obligation scheme.

**(AQW 50033/11-16)**

**Mr Bell:** Both I and my officials have been in dialogue with the Secretary of State for Energy and Climate Change and her Department since the general election. These discussions concern the implications for Northern Ireland of her policy to close the Renewables Obligation (RO) scheme to onshore wind in 2016. My aim has been to obtain the best outcome for Northern Ireland by maximising the amount of installed onshore wind capacity for least cost to the consumer. I recently consulted on proposals which secure a later eligibility date for Northern Ireland projects compared to those in Great Britain and do not involve additional costs for Northern Ireland consumers. I am currently considering the responses to the consultation.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment, given that the Department of Energy and Climate Change will extend the Renewable Obligation grace period for projects on the grounds that had a correct or timely decision been made by the planning authority, such projects would have met the grace period criteria announced on 18 June, whether such provisions will be extended to local projects.

**(AQW 50044/11-16)**

**Mr Bell:** Consultation on the closure of the Northern Ireland Renewables Obligation Scheme to onshore wind in 2016 ended on 14 October 2015. Following consideration of the large number of responses received I will publish my decisions in due course. In making my response I will take account of any conditions introduced in Great Britain.

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment for his assessment of the findings contained within the research paper on the contribution of small businesses to Northern Ireland, produced by the Federation of Small Businesses, the Ulster University SME Centre and the Ulster University Business School.

**(AQW 50061/11-16)**

**Mr Bell:** I welcome the report on the contribution of small businesses to Northern Ireland, produced by the Federation of Small Businesses (FSB) and the Ulster University SME Centre. I am particularly pleased with the findings that suggest that four in every five small and medium-sized enterprises (SMEs) here intend to grow over the next two years.

The important contribution that SMEs already make to the Northern Ireland economy, particularly in terms of employment and turnover, is well established. This work reaffirms that vital contribution while also providing a further useful insight in to the concerns of business. I look forward to seeing the promised work, by the FSB, to capture the findings of this and other research and turning it into policy recommendations and solutions.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment whether any financial termination packages have been paid, or will be paid, to any Special Advisers in consequence of ministerial resignations in his Department since September 2015.

**(AQW 50079/11-16)**

**Mr Bell:** The severance payment criteria for Special Advisers are contained in the 'Code Governing the Appointment of Special Advisers'. It is the responsibility of each Department to implement the policy within the Code and to calculate and arrange any severance payments due from their budgets.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment how many of his departmental staff have a registered disability, broken down by (i) full time equivalent; and (ii) as a percentage of the workforce.

**(AQW 50118/11-16)**

**Mr Bell:** As of 26 October 2015 a total of 17 DETI staff have a registered disability.

This equates to 14.46 Full Time Equivalent staff and 3.25% of the departmental workforce.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to detail the (i) average time; and (ii) longest time taken by his Department to respond to a Freedom of Information request since 2012.

**(AQW 50147/11-16)**

**Mr Bell:** The details requested are (i) 41 working days and (ii) 717 working days.

These figures include permitted extensions to the Department's statutory deadline for reply.

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment to detail the amount of Renewables Obligation Certificate payments by his Department in each of the last six years; and the amounts paid to the wind industry in constraint payments in each of the last six years.

**(AQW 50154/11-16)**

**Mr Bell:**

- (i) My Department does not make ROC payments to generators. ROCs are issued by Ofgem to generators which are then sold to electricity suppliers. Table 1 sets out the approximate value of ROCs issued to renewable electricity generators in Northern Ireland in each financial year since 2009/10. Figures for 2014/15 are not yet available.

**Table 1: Approximate values of ROCs issued**

Year	Approximate value of ROCs issued (£m)
2009/10	33
2010/11	32
2011/12	53
2012/13	56
2013/14	86

- (ii) Information on constraint payments made to the wind industry in each of the last six years is not readily available.

## Department of the Environment

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 49017/11-16, for an estimation of (i) the waste permitted to be dumped at the site under the Water (Northern Ireland) Order 1999; (ii) the amount of unauthorised materials deposited on the site between 1995 and 2006; and (iii) what checks were undertaken to ensure his Department's other regulatory requirements were being met before the Northern Ireland Environment Agency granted this consent in 2002.

**(AQW 49881/11-16)**

**Mr Durkan (The Minister of the Environment):** NIEA has not estimated the quantities of waste deposited at the site.

The regulation of the deposit of waste in 2002 was carried out by Local Councils under the Pollution Control and Local Government Order 1978.

W & J Chambers Ltd applied for consent to discharge to underground stratum at 91 Glenshane Rd, Drumahoe, Londonderry on 8 October 2002. NIEA (then EHS) consulted with Derry City Council on the application on 20 May 2003. Derry City Council did not respond to the consultation. NIEA therefore took the nil return to be no objection to the application and proceeded to grant the discharge consent on 14 October 2003 to underground stratum in respect of an inert landfill restricted to Category A waste types listed in Schedule 1.

**Mr Flanagan** asked the Minister of the Environment to detail how much of Unconventional Gas Exploration and Extraction Research Programme will be carried out by (i) the Shale Gas Industry, CDM Smith or AMEC Foster Wheeler; and (ii) academic institutions, broken down as a percentage of tasks.

**(AQW 49920/11-16)**

**Mr Durkan:** Given the multidisciplinary approach to many of the tasks and the robust internal review process involving more than one organisation for many of the tasks; it is not possible to provide a breakdown along the lines you have requested.

**Mr Flanagan** asked the Minister of the Environment whether (i) he or his Department has extended Ireland's Environmental Protection Agency's statutory immunity from prosecution to Northern Ireland through the Northern Ireland Environment Agency or Department's involvement in the all Ireland Unconventional Gas Exploration and Extraction Research Programme; and (ii) any results of the Unconventional Gas Exploration and Extraction Research Programme, any procedural malpractices, any misuse of public funds, or any bias can be fully challenged in the local courts.

**(AQW 49929/11-16)**

**Mr Durkan:** I am currently seeking legal opinion on your question and I will provide a substantial reply in due course.

**Lord Morrow** asked the Minister of the Environment, pursuant AQW 49247/11-16, whether an email was received by departmental staff titled unregulated meters in regulated vehicles, accompanied by a still photograph taken by an on board video system of the vehicle in question.

**(AQW 49962/11-16)**



**Mr Durkan:** I can confirm that the Driver & Vehicle Agency received an email and a still photograph on 29 September 2015 in respect of unregulated meters in regulated vehicles. This matter is now the subject of follow up investigation by the Agency's Compliance and Roadside Enforcement Section.

**Mr Agnew** asked the Minister of the Environment (i) whether planning permission is required for upgrading an existing mobile mast; and (ii) what consideration has been given to making the planning process more efficient for upgrades .  
(AQW 49984/11-16)

**Mr Durkan:** Whether planning permission is required for upgrading an existing mobile mast will depend on the circumstances and particulars of any such proposal.

While planning permission is generally required for the upgrading of existing mobile phone masts, in certain circumstances operators can avail of permitted development rights under Part 18 of the Schedule to the Planning (General Permitted Development) Order (Northern Ireland) 2015 to upgrade existing masts without the need to submit a formal planning application.

In April 2013 my Department extended the scope of these permitted development rights to include the replacement or extension of an existing mast previously erected following grant of planning permission and the installation, alteration or replacement of antenna on an existing mast, providing it does not extend the mast above 10% of its original permitted height. There are also a number of other conditions and limitations, which if met mean planning permission is not required.

I have instructed my officials to work to consider options to further extend permitted development rights for telecommunications development. Any proposal to emerge from this will be aimed at enhancing the ability of code system operators to undertake necessary works as quickly as possible without having to go through the formal planning process, while at the same time ensuring that amenity and wider environmental safeguards are in place.

**Mrs Dobson** asked the Minister of the Environment to detail the (i) capital; and (ii) resource costs associated with digitisation and online services within his Department and its arm's-length bodies in each of the last three years.  
(AQW 50059/11-16)

**Mr Durkan:** The reply is on the basis that:

- "digitisation and online services" refers to "citizen facing digital services";
- the last three years are 13/14, 14/15, 15/16 year to date;
- the costs are actual costs incurred in each of the financial years and not whole life costs for the systems.

Planning Service, NIEA, Carrier bag levy and DVA were the only areas within DOE to indicate costs associated with digitisation and online services.

#### NIEA

Capital costs for NIEA's online forms are nil to the agency. No Capital costs were incurred in this period. Subsequent costs for setting up additional forms were met by the Cabinet Office's GOV.UK Programme.

Natural Environment Division's return was Nil capital costs and minimal resource staff costs worked out at an average of one application per week administered by an Administrative officer:-

- 2013/14 £20.33
- 2014/15 £20.33
- 2015 to date £11.73

Resource Efficiency Division's return was nil for 2013/14, nil for 2014/15 and nil for the financial year to date.

#### NIEA Summary

An average of one application per week administered by an Administrative officer has been taken as an estimate of the resource effort and is summarised below:

- 2013/14, nil capital costs and £20.33 resource costs
- 2014/15, nil capital costs and £20.33 resource costs
- 2015/16, nil capital costs and £11.73 resource costs

#### Planning policy division

The provision of planning policy consultations pilot was conducted in 2013/14 with a nil capital return but resource costs of £20,825 to run a proof of concept on online policy consultations.

#### Planning Service

The main planning portal system that is used in the processing of planning applications has been developed prior to and in preparation for the move of planning to councils has developed a more online presence for viewing and consultations on planning applications:

**Capital costs**

Date	Cost
2013/14	£85,214.00
2014/15	£320,375.00
2015	£59,530.00
<b>Total</b>	<b>£465,119.00</b>

**Resource Costs**

Resource costs were Nil as changes were part of change projects through the Planning service managed service contract with HP.

**Driver and vehicle Agency**

The online booking service for practical driving tests and vehicle roadworthiness (MOT) tests was introduced in January 2007 to further enhance the range of booking channels available to customers. All support costs for the service are recovered within the booking fee. The costs of the service in each of the last three years are provided in the table below:

Year	Costs (Support)
2013/14	£105,773.20
2014/15	£113,180.20
2015/16 *	£63,397.20

**Carrier Bag Levy**

The carrier bag levy system was developed in house by DOE ICT staff and therefore incurred no capital cost. The Resource costs associated with the development of the online system is outlined below:-

Year	Costs (Support)
2013/14	£10,583
2014/15	£69,848
2015/16*	£73,884

\* As profiled until 31st March 2015

**Mr Anderson** asked the Minister of the Environment what action his Department is taking to tackle the growth of giant hogweed.

**(AQW 50067/11-16)**

**Mr Durkan:** My Department's Alien Invasive Species Team provide advice and guidance on all aspects of Giant Hogweed Management, however, they do not carry out herbicide spraying on behalf of members of the public.

An Invasive Alien Species Strategy for Northern Ireland (2013-2016) has been published, and one its main objective is to reduce the risks associated with the growth and spread of established IAS such as Giant Hogweed.

My department, in conjunction with the National Parks and Wildlife Service in the Republic, jointly manage the Invasive Species Ireland website, which provides guidance on the control and management of a range of IAS including Giant Hogweed.

My department engaged with Queen's University Belfast (QUB) to support a £2.6 million Interreg IV project - Controlling Priority Invasive Non-native Riparian Plants and Restoring Native Biodiversity (CIRB), which ran from 2011-2014. CIRB sought to eradicate IAS including Giant Hogweed on trial River Catchments in Northern Ireland including the Newry Canal/Clanry River in the South East and the River Faughan in the North West.

The NEF (Natural Environment Fund) previously referred to as the NIEL Challenge Fund, has supported the Conservation Volunteers (TCV) in the Upper Ballinamallard River Project to manage several IAS including Giant Hogweed. Conservation Volunteers have also been funded, via the NEF, to widen this project to Lough Macrory, An Creggan Drumduff Bog, Owenkillew/Mourne/Strule Rivers and a 10 hectare site in Gortin. The Lough Neagh Alien Invaders Project included Giant Hogweed control in their widely publicised campaign and The Lough Erne Invasive Species Group has controlled Giant Hogweed in waterways in Co Fermanagh since 2006.

**Mrs Pengelly** asked the Minister of the Environment to detail (i) when he received the submission in relation to GM crops; (ii) the recommendations in the submission from officials; and (iii) whether the submission from officials indicated that this was an issue that required Executive approval.

**(AQW 50104/11-16)**

**Mr Durkan:** The GM crops submission was received in my Office on 28 August 2015. It asked me to confirm that I wished to exercise a transitional opt-out under EU regulations and prohibit the growing of GM crops that are already in the EU approvals' pipeline. It also asked me to agree to officials working with their colleagues in the South to see if a common approach would be feasible for a longer-term opt-out.

The submission indicated that Executive consideration would not be necessary. However, it noted the interest of Minister O'Neill, advised that she shared my views on this issue, and recommended that I should write to her as a courtesy to inform her of my decision.

**Mrs Pengelly** asked the Minister of the Environment to detail the cost implications included in the submission from officials on GM crops.

**(AQW 50105/11-16)**

**Mr Durkan:** The submission did not include any cost implications.

**Mrs Pengelly** asked the Minister of the Environment to detail (i) when he made a decision on GM crops; (ii) his reasons for the decision; and (iii) whether the reasoning behind his decision has been recorded by his Department.

**(AQW 50106/11-16)**

**Mr Durkan:** I made my decision on 6 September.

Mindful of the fact that none of the varieties in question was commercially attractive to growers here, and therefore my decision would have no practical implications for those growers, I considered it prudent to exercise the opt-out and prohibit cultivation of these crop varieties.

In reaching my decision I took into account the relatively small size of many agricultural holdings here and the potential difficulties in trying to keep GM and non-GM crops separate in the absence of effective coexistence measures. I considered that the costs of doing so could potentially be significant and, in many cases, totally impractical. I was also concerned that the growing of GM crops could potentially undermine our international clean and green image. As Minister with responsibility for our natural environment and rich biodiversity, this was something which I could not ignore.

My decision has been recorded by my Department.

**Mrs Pengelly** asked the Minister of the Environment whether he sought any legal advice on GM crops, including legal advice from the Departmental Solicitor's Office.

**(AQW 50107/11-16)**

**Mr Durkan:** I have responsibility for all matters relating to the deliberate release of GM material into the environment, including the growing of GM crops. I did not seek any legal advice on this matter.

**Mrs Pengelly** asked the Minister of the Environment whether he requested advice on GM crops from the Minister of Agriculture and Rural Development or the Minister of Enterprise, Trade and Investment.

**(AQW 50108/11-16)**

**Mr Durkan:** I did not seek the views of the DARD Minister as my officials were aware from contacts with their colleagues in that Department that she shared my views on this particular issue. Mindful that the GM maize varieties in question were not commercially attractive to growers here, and that my decision would therefore have no practical implications for those growers, I saw no need to consult any other Minister, including the DETI Minister. However, as Minister O'Neill had an interest in the subject, I wrote to her as a matter of courtesy to inform her of my decision.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 35491/11-15, (i) whether Queen's University Belfast remains a part of this consortium; and if not, (ii) to detail (a) when they stopped being part of the consortium; and (b) why they are no longer undertaking this research.

**(AQW 50120/11-16)**

**Mr Durkan:** Queens University Belfast was originally a partner in the UGEE research consortium but due to resource constraints they were unable to fulfil their allocated tasks. However they remain part of the consortium's internal peer review process for the joint research programme.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 48916/11-16, whether the Court of Appeal and Supreme Court rulings on *Champion-v-North Norfolk District Council* has any bearing on how his Department must apply the Planning Environmental Impact Assessment Regulations.

**(AQW 50121/11-16)**

**Mr Durkan:** This question raises legal issues and refers to an English Case which was eventually before the Supreme Court. It would, therefore, not be appropriate for me to comment or to offer opinions on matters of the legal interpretation.

**Mr Agnew** asked the Minister of the Environment for his assessment of the reintroduction of the Aggregates Levy Credit Scheme. (AQW 50124/11-16)

**Mr Durkan:** In April 2015 Her Majesty's Treasury introduced a retrospective Aggregates Levy Credit Scheme (ALCS). The Scheme was a result of an agreement with the European Commission that the original ALCS would be fully compatible with the EC Treaty State Aid guidelines if it was retrospectively applied to allow other Member States to apply for the reduced levy. Without a retrospective scheme, Northern Ireland quarry operators who received ALCS rebates would be expected to repay these rebates that could amount to tens of millions of pounds. The scheme enables eligible businesses that imported aggregate into Northern Ireland from other Member States between 1 April 2004 and 30 November 2010 to claim payments equal to the amount of tax credit they could have claimed had they been able to participate in the original ALCS. The Department is administering the certification part of the scheme.

Her Majesty's Treasury is also engaging with the Northern Ireland quarry industry to seek evidence for the European Commission in order to determine if a new ALCS can be approved by the Commission under the current Environmental Aid Guidelines. The financial incentive created by the original ALCS was successful in providing a mechanism to deliver significant environmental improvements at quarry sites. By building on the lessons learned from the original scheme, the Department would continue to work together with the quarry industry in any new scheme to help create prosperity and well-being through environment and heritage excellence.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 48918/11-16, whether (i) his Department sought to use only on-shore sites to validate the issuance of Aggregates Levy Credit Scheme certificates after his Department determined that it could not issue certificates due to the unauthorised nature of the extraction from Lough Neagh Special Protection Area; and (ii) the Aggregates Levy Credit Scheme files indicate this is the case. (AQW 50125/11-16)

**Mr Durkan:** The answer to both parts of this question is no. The Department processed Aggregates Levy Credit Scheme (ALCS) applications in accordance with the procedures and comply with relevant legislation. Only applications relating to Lough Neagh onshore sites were received and processed. As no applications were received for sand extraction on Lough Neagh, no determinations were made on the issue of certificates.

**Mr Agnew** asked the Minister of the Environment (i) for an up-date on the internal departmental review he ordered into the handling of the Aggregates Levy Credit Scheme; and (ii) whether this relates to Lough Neagh or the whole of Northern Ireland. (AQW 50152/11-16)

**Mr Durkan:** In my response to AQW 47079/11-15 I confirmed the application conditions and issue of Aggregates Levy Credit Scheme (ALCS) certificates to the operators extracting sand from Lough Neagh would be reviewed. A review has now been carried out relating to Lough Neagh sites. This review has shown that certificates were issued in line with the application process and they complied with the relevant legislation, the Aggregates Levy (Northern Ireland Tax Credit) Regulations 2004 and the Finance Act 2001.

**Mr Agnew** asked the Minister of the Environment (i) to detail the reasons behind his decision to use call in procedures to retain a small number of hydroelectric schemes; (ii) whether it is departmental policy to use procedures and resources in this way given the applications were minor; and (iii) given a notice of opinion to refuse was issued, whether these applicants were afforded the same rights as applicants whose cases were transferred to local councils, in terms of the Planning Appeals Commission having the authority to make a decision at appeal. (AQW 50153/11-16)

**Mr Durkan:** I have previously advised of the rationale for retaining planning applications from my answers to AQW 43674/11-15 and AQW 43674/11-15. This applied to all applications not just those relating to hydroelectric power development.

These applications were retained under the provisions of the Planning (2011 Act) (Commencement No. 3) and (Transitional Provisions) Order (Northern Ireland) 2015. I did not therefore exercise the call in procedures under Section 29 of the Planning Act (NI) 2011. They will however be determined under Section 29 of the Act.

The retention of applications was to assist the transfer of planning powers. Decisions on which applications to retain were taken on a case by case basis and there were a broad range of applications retained. It should be noted that the applications had always been processed in Strategic Planning Division.

I do not consider that in retaining a small number of applications that this has given rise to any potential prejudice to interested parties. An applicant has the right to request a hearing before the Planning Appeals Commission (PAC). However the final decision will rest with the Department and in reaching that decision, account must be taken of the PAC report.



**Mr Weir** asked the Minister of the Environment to detail the number of reported incidents of river or sea pollution in North Down, in each of the last five years.

**(AQW 50158/11-16)**

**Mr Durkan:** Table A provides the total number of recorded river and sea pollution incidents in North Down in each of the last five years and the approximate costs to NIEA.

Table B provides a breakdown of the level of severity assigned to those recorded pollution incidents.

**Table A:**

Year	Total Pollution Incidents	Cost to NIEA
2010	39	£5990
2011	41	£6306
2012	33	£5075
2013	40	£6152
2014	36	£5537

**Table B:**

Year	High Severity	Medium Severity	Low Severity
2010	0	4	35
2011	1	13	27
2012	0	4	29
2013	0	3	37
2014	1	4	31

**Mr Weir** asked the Minister of the Environment to detail the cost of river or sea pollution incidents in North Down, in each of the last five years.

**(AQW 50160/11-16)**

**Mr Durkan:** Table A provides the total number of recorded river and sea pollution incidents in North Down in each of the last five years and the approximate costs to NIEA.

Table B provides a breakdown of the level of severity assigned to those recorded pollution incidents.

**Table A:**

Year	Total Pollution Incidents	Cost to NIEA
2010	39	£5990
2011	41	£6306
2012	33	£5075
2013	40	£6152
2014	36	£5537

**Table B:**

Year	High Severity	Medium Severity	Low Severity
2010	0	4	35
2011	1	13	27
2012	0	4	29
2013	0	3	37
2014	1	4	31

**Mrs Pengelly** asked the Minister of the Environment to detail (i) when he received the submission in relation to the decision on the arc21 Residual Waste Treatment Project; (ii) the recommendations in the submission from officials; and (iii) whether the submission from officials indicated that this was an issue that required Executive approval.

**(AQW 50173/11-16)**

**Mr Durkan:** I received a report, recommendation and submission from my officials in relation to the planning application on 22 July 2015. The recommendation was that a Notice of Opinion to approve should be issued. The submission also indicated that there was no need to consult with the Executive Committee.

**Mrs Pengelly** asked the Minister of the Environment to detail the cost implications included in the submission from officials in relation to the decision on the arc21 Residual Waste Treatment Project.

**(AQW 50174/11-16)**

**Mr Durkan:** The report and recommendation from my officials addressed the planning merits of the case. I can advise that no details of potential cost implications were included in the submission from my officials.

**Mrs Pengelly** asked the Minister of the Environment to detail (i) when he made a decision in relation to the arc21 Residual Waste Treatment Project; (ii) his reasons for the decision; and (iii) whether the reasons for his decision have been recorded by his Department.

**(AQW 50175/11-16)**

**Mr Durkan:** I advised officials of my decision to refuse the application on 21 September 2015.

Having considered the views and fears expressed by third parties and elected representatives, including the potential health implications from pollutants in stack gases, ashes and other residues, pollutants from increased traffic and heavy vehicles and the transport of toxic fly ash to and from the site, I was not convinced that the proposal would not result in an adverse impact on human health.

Furthermore, I am committed to a policy of zero waste and have worked hard with councils to increase recycling rates. I want this to continue. This development could have resulted in an increased market for waste disposal and to maintain a facility such as this, in addition to the other approved waste facilities, could discourage recycling. In that context I did not consider there to be any need for this proposal.

My officials have recorded the reasons for my decision and those reasons form the basis of the Notice of Opinion to refuse planning permission that subsequently issued to the applicant and to Antrim and Newtownabbey Borough Council on 23 September 2015.

**Mrs Pengelly** asked the Minister of the Environment whether he sought any legal advice on the arc21 Residual Waste Treatment Project, including legal advice from the Departmental Solicitor's Office.

**(AQW 50176/11-16)**

**Mr Durkan:** Any legal advice sought or provided in relation to the exercise of my responsibilities is subject to professional privilege and consequently I am unable to say whether I did or did not seek legal advice on the arc21 Residual Waste Treatment Project.

**Mrs Pengelly** asked the Minister of the Environment, given the impact on secured Financial Transactions Capital, whether he requested advice on GM crops from the Department of Finance and Personnel.

**(AQW 50177/11-16)**

**Mr Durkan:** I did not seek any advice on GM crops from the Department of Finance and Personnel.

## Department of Finance and Personnel

**Mr Hussey** asked the Minister of Finance and Personnel to detail whether funds have been made available to the Department of Justice and to the Department of Health, Social Services and Public Safety to pay retired fire and police officers that were affected by the revaluation of commutation of pensions payments between 2001 and 2006.

**(AQW 49507/11-16)**

**Mrs Foster (The Minister of Finance and Personnel):** I discussed this issue with the Chief Secretary to the Treasury earlier this year and was able to convince him that the cost associated with making payments to the affected individuals should not be met by the Executive, rather it should be met by HM Treasury via the Annually Managed Expenditure budget.

Departments have now provided details of the additional funding required and Budgets will be adjusted accordingly.

**Mrs Dobson** asked the Minister of Finance and Personnel to detail the (i) capital; and (ii) resource costs associated with digitisation and online services within her Department and its arm's-length bodies in each of the last three years.  
(AQW 49775/11-16)

**Mrs Foster:** The costs incurred on the transformation and delivery of citizen facing digital services within my Department over the last three years are set out in the table below. These figures include actual costs in digitally transforming the service, provision of websites, infrastructure and hosting, maintenance and staff costs. The figures for 2015/16 are based on expenditure for the year to date.

Year	Capital (£)	Resource (£)
2013/14	2,558,156	6,747,742
2014/15	1,185,802	7,777,800
2015/16 (to date)	0	3,912,560

**Mrs Dobson** asked the Minister of Finance and Personnel what action she will take following the recent findings contained within the Federation of Small Businesses' study on The contribution of SMEs to Northern Ireland.  
(AQW 49924/11-16)

**Mrs Foster:** I note the findings of this report and in particular the survey results which indicate that respondents want a reduction of business rates and corporation tax, better broadband provision, more help with online/marketing activity, better availability of skilled staff, a reduction in bureaucracy and regulation, a VAT reduction, and action to address late payments.

Business rates and Corporation Tax fall within my areas of responsibility. You will be aware of my strong position on lowering Corporation Tax. This of course requires broader agreement on budgetary issues if we are to put our finances on a sustainable footing to enable the transfer of these powers. In terms of rates, my Department is currently reviewing the whole non domestic system and will be out to public consultation until the 25 January 2016. A copy of the consultation paper can be found in the link below for your consideration.

<https://www.dfpni.gov.uk/consultations/review-northern-irelands-non-domestic-rating-system>

I have a genuinely open mind about the issues and am interested in new ideas to improve the current system and any alternatives that might present themselves. The review is not concerned with raising more money as broadly speaking we already pay rates at similar levels to other parts of the UK; it is about how we spread the burden. The rating system, however, is about raising a set amount of revenue for the Assembly and our Councils each year and in essence it is a distribution mechanism. This inevitably means that any changes to reduce what some groups or sectors pay will result in either someone else paying more or more cutbacks in public spending. This was clear having heard the views from business organisations, including FSB, represented at the 4 day policy symposium organised by DFP in June this year.

You may also be aware that in 2014, the Ulster University's Centre for Economic Policy (UUCEP) undertook an extensive evaluation of Small Business Rate Relief. That report concluded that the scheme should be retained for a further year (2015/16) prior to being phased out as economic conditions improve. Indeed the main criticism of the scheme was that despite its popularity, it provided little economic benefit in terms of increased employment or additional investment. There was also little evidence to suggest that it made a significant difference to business survival rates during the recession. The report also suggested that if a replacement for the scheme was to be considered, it should take a more targeted approach focusing on economic growth, to ensure value for money is maximised.

Any proposals to replace the current scheme will be taken forward as part of a separate consultation and include input from the Department of Finance and Personnel, Department for Social Development as well as the Department for Enterprise, Trade and Investment.

**Mr Allister** asked the Minister of Finance and Personnel whether Special Advisers, in post since before 30 July 2007, are eligible for a final salary pension scheme.  
(AQW 49930/11-16)

**Mrs Foster:** On 1 April 2015, all members of the Civil Service final salary pension scheme arrangements moved to the new career average pension scheme, unless they met certain conditions for full or tapered protection. Civil Service Pensions produced a Q&A to keep staff informed on the introduction of the new scheme. Further details are available at:

<https://www.dfpni.gov.uk/sites/default/files/publications/dfp/pension-reform-in-the-nics-q-a-2.pdf>

**Mr Nesbitt** asked the Minister of Finance and Personnel to detail (i) on how many occasions; and (ii) on what dates departmental officials met with the National Crime Agency to discuss the sale of the National Asset Management Agency's Northern Ireland portfolio.  
(AQW 49942/11-16)

**Mrs Foster:** My officials have been liaising with the National Crime Agency (NCA) on an ongoing basis since the launch of its investigation in July 2015.

**Mr Allister** asked the Minister of Finance and Personnel whether solar farms are rateable.

**(AQW 49950/11-16)**

**Mrs Foster:** The generation of electricity from any renewable source, including solar farms, will be rateable where the installed capacity of the plant is greater than 50 Kilowatts. Where the installed capacity is 50 Kilowatts or less, the premises are exempt from rates under Rates (Northern Ireland) Order 1977 as amended by The Rates (Microgeneration) Order (Northern Ireland) 2012.

Rates are determined on the basis of Schedule 12 of the Rates (Northern Ireland) Order 1977. The basis of assessment is the notional rental value of the property, known as the Net Annual Value, as at 1st April 2013.

**Mr Campbell** asked the Minister of Finance and Personnel for an estimate of the change in the number of self-employed people in each constituency, in each of the last five years.

**(AQW 50084/11-16)**

**Mrs Foster:** Official estimates of the number of self-employed people are sourced from the Labour Force Survey. The Labour Force Survey is a sample survey and is primarily designed to provide labour market information at the Northern Ireland level. Official statistics on the number of self-employed are available at the Northern Ireland and regional NUTSIII level (see Table 1).

**Table 1 Number of self-employed (16+) by regional NUTS III area, 2010-14**

	2010	2011	2012	2013	2014
Belfast	13,000	9,000	*	10,000	13,000
Outer Belfast	20,000	16,000	21,000	20,000	21,000
East of Northern Ireland	34,000	29,000	26,000	27,000	30,000
North of Northern Ireland	18,000	22,000	20,000	17,000	20,000
West & South of Northern Ireland	39,000	41,000	33,000	36,000	38,000
Northern Ireland	124,000	117,000	105,000	109,000	121,000

**Source:** Labour Force Survey, Local Area Database

**Notes:**

Figures are rounded to the nearest thousand and as a result may not sum to totals.

\*Sample size is too small to provide a reliable estimate.

Official statistics on the change in the number of self-employed by constituency are not currently available from the Labour Force Survey due to the wide statistical margins of error associated with such estimates at this level of disaggregation.

**Mr Swann** asked the Minister of Finance and Personnel, pursuant to AQW 49637/11-16, to detail the breakdown, by year, of the reason agricultural rate relief was removed on these occasions.

**(AQW 50116/11-16)**

**Mrs Foster:** As detailed in AQW 49637/11-16, over the last three and a half years this agricultural allowance on rating valuations has been removed in respect of 3,848 properties. It would require a prohibitively expensive and time consuming investigation of Land & Property Services systems and records in order to detail the reason for the removal on each individual property.

The valuation allowance is removed when the occupation of a property no longer complies with the eligibility criteria as set out in the Rates (NI) Order 1977. As already advised, this can be for a variety of situations including where: the property has been demolished; the property is incapable of beneficial occupation; the property is vacant; or the property is no longer occupied by someone primarily engaged in agricultural operations.

**Mr McGlone** asked the Minister of Finance and Personnel whether civil servants on an official career break are eligible to leave the Civil Service via the Voluntary Exit Scheme.

**(AQW 50126/11-16)**

**Mrs Foster:** I can confirm that permanent NICS staff on career break, or those staff who by 2nd March 2015 had agreed a career break date due to commence within the 2015/16 financial year, were eligible to apply to leave the NICS under the terms of the Voluntary Exit Scheme.

**Ms McCorley** asked the Minister of Finance and Personnel for a breakdown of any investment, including capital, her Department has made in West Belfast since May 2011.

**(AQW 50138/11-16)**



**Mrs Foster:** My Department's investment, including capital, in West Belfast, since 2011-12 is set out in the table below.

Year	Current £'000	Capital £'000
2011-12	189	-
2012-13	332	-
2013-14	293	-
2014-15	183	80

**Mr Weir** asked the Minister of Finance and Personnel what liaison has taken place with other Departments and agencies to ensure full involvement with the Cycle to Work Scheme.

(AQW 50159/11-16)

**Mrs Foster:** The Cycle to Work Scheme is now an established NICS wide scheme with designated contacts in each department. It was re-launched in February 2014 and continues as an open ended scheme available to all civil servants.

**Mr McGlone** asked the Minister of Finance and Personnel to detail how many civil servants on official career breaks have been offered the opportunity to leave the Civil Service under the Voluntary Exit Scheme.

(AQW 50166/11-16)

**Mrs Foster:** A total of 240 offers have been made to staff on career breaks in tranches 1, 2 and 3. 157 have accepted from tranche 1 and tranche 2. The closing date for acceptances under tranche 3 is 30 October 2015.

## Department of Health, Social Services and Public Safety

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of referrals for assessment for an autism spectrum disorder; and (ii) the total number of suitably qualified and trained staff employed to undertake referrals in each Health and Social Care Trust, in each of the last four years.

(AQW 45193/11-15)

**Mr Wells (The Minister of Health, Social Services and Public Safety):**

- (i) Table 1 overleaf contains the number of referrals received for an assessment for autism spectrum disorder (ASD) at year ending 31st March in each of the last four years by Health and Social Care (HSC) Trust.
- (ii) Table 2 overleaf contains the total number of suitably qualified and trained staff employed to undertake referrals for children in each Health and Social Care Trust, in each of the last four years at 31 March. Table 3 contains the same information for those undertaking referrals of adults.

**Table 1: The number of referrals for an assessment for ASD by HSC Trust at year ending 31st March (2011/12 – 2014/15)**

HSC Trust	Year											
	2012			2013			2014			2015		
	No. of Children Referred	No. of Adults Referred	Total No. of Referrals	No. of Children Referred	No. of Adults Referred	Total No. of Referrals	No. of Children Referred	No. of Adults Referred	Total No. of Referrals	No. of Children Referred	No. of Adults Referred	Total No. of Referrals
Belfast	595	-	595	641	41	682	733	60	793	795	97	892
Northern	650	15	665	654	62	716	849	64	913	1,006	94	1,100
South Eastern	425	22	447	440	25	465	525	54	579	469	77	546
Southern	155	-	155	217	-	217	281	44	325	257	30	287
Western	304	15	319	344	41	385	317	52	369	483	86	569

**Source:** HSC Trusts Information Systems

Please note these figures have not been validated by the Department

**Table 2: The number of staff employed to undertake referrals of children for ASD by HSC Trust at 31st March (2012 – 2015)**

HSC Trust	Year							
	2012		2013		2014		2015	
	Head-count	WTE	Head-count	WTE	Head-count	WTE	Head-count	WTE
Belfast	-	3.6	-	3.6	-	3.6	-	3.6
Northern	-	-	-	-	-	-	11	4.8
South Eastern	17	6.9	17	6.9	16	6.3	16	6.3
Southern	12	8.94	13	10.02	13	10.3	13	9.47
Western	18	14.71	18	14.71	18	14.71	18	14.71

**Source:** HSC Trusts Information Systems

Please note these figures have not been validated by the Department;

The Belfast HSC Trust were unable to provide headcount figures, their diagnostic staff include Paediatricians, Psychologists, Occupational Therapists, Speech and Language Therapists and the Child and Adolescent Mental Health Service; The Northern HSC Trust was unable to provide figures for 2012–2014 for staff employed to undertake referrals of children for ASD, figures for these years recorded by the Trust excluded the medical input which was not dedicated resource at the outset but was part of the core service. Therefore recorded figures for these years are not directly comparable with current figures; WTE for staff in the Western Trust are employed to take referrals for both ASD assessment and intervention

**Table 3: The number of staff employed to undertake referrals of adults for ASD by HSC Trust at 31st March (2012–2015)**

HSC Trust	Year							
	2012		2013		2014		2015	
	Head-count	WTE	Head-count	WTE	Head-count	WTE	Head-count	WTE
Belfast	1	0.4	3	1.4	3	1.4	4	1.9
Northern	4	0.4	6	0.625	6	1.125	7	1.225
South Eastern	2	2.0	2	2.0	4	2.9	4	2.4
Southern	-	-	-	-	4	-	3	-
Western	1	1.0	1	1.0	2	2.0	2	2.0

**Source:** HSC Trusts Information Systems

Please note these figures have not been validated by the Department;

WTE is not available for staff in the Southern HSC Trust, staff are trained to provide services on a sessional basis; WTE for staff in the Western HSC Trust are employed to take referrals for both ASD assessment and intervention

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether Health and Social Care Trust contingency plans enacted in 2015/15 will continue into 2015/16.  
(AQW 45369/11-15)

**Mr Wells:** Some of the contingency plan measures implemented in 2014/15 will continue into 2015/16. Savings proposals will be subject to consultation, as appropriate. Details of both the 2014/15 contingency plans and Trusts' savings plans for 2015/16 are already in the public domain.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety how many patients have received Pharmedol treatment, broken down by Health and Social Care Trust, in the last three years.  
(AQW 46040/11-15)

**Mr Hamilton:** No patients have received Pharmedol treatment in Northern Ireland in the last three years.

At 29th October 2015, there were no patients waiting to receive Pharmedol treatment at the Royal Victoria Hospital immunology department.

Belfast Trust has advised that funding is available for Pharmedol and the Trust will work with HSCB colleagues to implement the service as soon as is practically possible.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the number of patients on waiting lists for Pharmed treatment at the Royal Victoria Hospital immunology department.  
(AQW 46041/11-15)

**Mr Hamilton:** No patients have received Pharmed treatment in Northern Ireland in the last three years.

At 29th October 2015, there were no patients waiting to receive Pharmed treatment at the Royal Victoria Hospital immunology department.

Belfast Trust has advised that funding is available for Pharmed and the Trust will work with HSCB colleagues to implement the service as soon as is practically possible.

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety to detail any costs associated with following the National Institute for Health and Care Excellence guidance for the last three years.  
(AQW 46104/11-15)

**Mr Hamilton:** The estimated additional cost of following NICE guidance in secondary care for 2012/13 was £10.2m with an additional £14.9m in 2013/14 and a further £16m in 2014/15.

It is not possible to estimate the additional costs of following NICE in primary care as the specific drugs are used for many other non -NICE indications and expenditure is not available for NICE and Non NICE indications separately.

**Ms Lo** asked the Minister of Health, Social Services and Public Safety when he will publish his Department's Guidance on Termination of Pregnancy in Northern Ireland.  
(AQW 46210/11-15)

**Mr Hamilton:** I intend to bring revised Guidance before Executive .

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety for his assessment of the number of late or outstanding payments for day care centres providing day care for people with learning difficulties or disabilities through a Trust contract.  
(AQW 46448/11-15)

**Mr Hamilton:** Updated information on the number of late or outstanding payments for day care centres providing day care for people with learning disabilities through a Trust Contract is set out in the table below.

Trust	Number of late or outstanding payments for Trust-contracted day centres, providing day care for people with learning disabilities.
BHSCT	62 outstanding invoices at a value of £7,216.36.
NHSCT	No late or outstanding payments.
SEHSCT	No late or outstanding payments.
SHSCT	The Trust is unable to provide details retrospectively of those invoices which were late or outstanding.  Most payments to day care providers are paid via a monthly block contract sum in-month. A small number of providers submit invoices which are approved and paid as promptly as possible.
WHSCT	No late or outstanding payments.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety for his assessment of the benefits to care provision following the development of regional and Health and Social Care Trust projects by the Health and Social Care Board.  
(AQW 46751/11-15)

**Mr Hamilton:** I attended the second Regional Integrated Care Partnership Workshop and saw for myself the benefits that Integrated Care Partnerships (ICPs) bring to local care provision.

The Partnership Committees, that oversee the work of each of the 17 ICPs, report an improvement in integrated working amongst the healthcare providers involved with improved outcomes for patients and service users.

The detailed work to improve local implementations of regional services for the four ICP priority areas (Frail Elderly, Respiratory, Stroke and Diabetes) undertaken by the specialist Multi Disciplinary Teams in each ICP has produced a number of service changes and innovations. Examples include:

- Improvements in Patient and Care Professional Education
- Improved support for self management by those with Long Term Conditions
- Provision of Acute Care at home for selected treatments
- Enhanced Primary Care Respiratory Service

- Provision of Rapid Access Respiratory Assessment Clinic
- Provision of Multidisciplinary Diabetic Footcare Team and Pathway

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail what evaluations were conducted into ADD-NI programmes which informed his decision to cease funding; and their outcome.

**(AQW 46806/11-15)**

**Mr Hamilton:** ADD- NI continues to receive core grant funding from my Department.

I intend to consult publicly on proposals for a new Innovation Grant Scheme, which will be open to all voluntary and community sector organisations. The Scheme will be established on a co-design basis. A Scheme Design Team has been established and pre-consultation engagement workshops are currently being held across Northern Ireland. The Scheme will seek to help us deliver key health and social care aims and will have innovation at its heart. It will replace my Department's existing Core Grant Scheme, which will come to an end in March 2018. To minimise the impact on organisations core grant funding will be withdrawn over a three year period. Subject to satisfactory applications being received, all organisations will receive their full allocations in this financial year. However, reductions will be applied in each of the following two years through to the closure of the scheme.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of referrals by each Health and Social Care Trust to ADD-NI in each of the last three years; and (ii) what alternative exists following the cessation of funding to ADD-NI by his Department.

**(AQW 46883/11-15)**

**Mr Hamilton:**

- (i) The Belfast, South Eastern and Northern HSC Trusts avail of the services of ADD-NI. The number of referrals by each Health and Social Care Trust to ADD-NI in each of the last three years is not available. The Southern and Western HSC Trusts do not have contracts with ADD-NI.
- (ii) There has been no decision to cease funding to ADD-NI. ADD-NI has been awarded a grant of £25,000 in 2015/2016. Your AQW 46806/11-15 also refers.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to outline the reasons behind his decision to withdraw funding for ADD-NI.

**(AQW 46993/11-15)**

**Mr Hamilton:** I did not withdraw funding from ADD- NI and refer the Member to my answer to AQW 46806/11-15.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail all the strategies published or endorsed by his Department which are currently in effect or that will come into effect before the end of the current Assembly mandate.

**(AQW 47278/11-15)**

**Mr Hamilton:** The DHSSPS strategies currently in effect and those subject to consultation are available on my Department's website.

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety why his Department has withdrawn funding for the ADD-NI children's charity.

**(AQW 47389/11-15)**

**Mr Hamilton:** I did not withdraw funding from ADD- NI and refer the Member to my answer to AQW46806/11-15.

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 46728/11-15, whether he will make the report commissioned by the former Western Health and Social Services Board into a midwife led maternity unit for Omagh available to Members.

**(AQW 47398/11-15)**

**Mr Hamilton:** A copy of the feasibility study has been placed in the Assembly Library.

The feasibility study has no policy standing and has been superseded by additional evidence collected from across all Trusts to develop my Department's extant regional maternity strategy, 'A Strategy for Maternity Care in Northern Ireland 2012-2018'.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety for his assessment of the survival rates for local women with ovarian cancer.

**(AQW 47680/11-15)**



**Mr Hamilton:** The Eurocare-V study conducted on cancer patients diagnosed in 2000-2007 indicated that survival from ovarian cancer in Northern Ireland was similar to that in the other UK countries.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the deficits each Health and Social Care Trusts are projecting for 2015/16.

**(AQW 47719/11-15)**

**Mr Hamilton:** All HSC organisations are required to deliver financial breakeven in 2015/16.

**Ms Boyle** asked the Minister of Health, Social Services and Public Safety to detail how much each Health and Social Care Trust spent on Clinical Excellence Awards in the last five years.

**(AQW 47771/11-15)**

**Mr Hamilton:** The cost of the awards over the past 5 financial years is detailed below. These include employer costs of between 25%-27%. No new awards have been made since the 2009/10 awards round; however, existing awards continue to be paid as a contractual obligation.

	2010/11	2011/12	2012/13	2013/14	2014/15
Belfast Health and Social Care Trust	£8,624,825	£7,219,753	£6,556,067	£6,160,907	£4,842,683
Northern Health and Social Care Trust	£1,319,240	£1,101,000	£946,000	£810,000	£834,740
Southern Health and Social Care Trust	£1,039,602	£875,006	£807,099	£794,495	£584,779
South Eastern Health and Social Care Trust	£1,416,209	£1,293,730	£1,208,524	£1,206,501	£1,115,175
Western Health and Social Care Trust	£1,201,128	£1,102,732	£973,018	£906,014	£740,282

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of local people with anorexia that have been referred for specialist treatment in England in each of the last three years; and (ii) the criteria that must be met in order to be considered for such treatment.

**(AQW 47786/11-15)**

**Mr Hamilton:**

- (i) The number of people referred to facilities outside of Northern Ireland for specialist treatment for an eating disorder in the last 3 years is detailed below. This figure includes all eating disorders, not just anorexia:

(ii)

Year	No of people referred outside of NI for eating disorder treatment
2012/13	8
2013/14	11
2014/15	15

- (iii) Decisions on referral to specialist services outside of Northern Ireland are made on the basis of individual clinical need, in line with the criteria and procedures set out in my Department's 'Transfer of Mentally Disorder Patients' guidance (August 2011).

On 7 October, I announced that my Department will be examining the possibility of establishing a specialist eating disorders unit in Northern Ireland, and this work has commenced.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to outline his proposals for reforming the Health Service.

**(AQW 47813/11-15)**

**Mr Hamilton:** Shortly after taking up office as Minister, I visited the Belfast Cancer Centre on 21st May and I outlined my vision for a world class health and social care system for the citizens of Northern Ireland. The full version of my speech is available on the departmental website at <http://www.dhsspsni.gov.uk/ccspeech210515>.

As indicated during the Health Committee evidence session on 1 July, I intend shortly to outline in greater detail how I believe we should proceed with reforming our health and social care sector to meet the challenges facing us now and in the future.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail how much the South Eastern Health and Social Care Trust has spent on legal advice in the last financial year.

**(AQW 47887/11-15)**

**Mr Hamilton:** Expenditure on legal advice in the last financial year (2014/15) is set out in the table below:

	Legal Costs £
Belfast HSCT	2,562,278
Northern HSCT	1,271,940
South Eastern HSCT	1,228,292
Southern HSCT	1,179,800
Western HSCT	1,054,958
NIFRS	207,061

\*Source: HSCTs & DLS

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail how much the Southern Health and Social Care Trust has spent on legal advice in the last financial year.

**(AQW 47892/11-15)**

**Mr Hamilton:** Expenditure on legal advice in the last financial year (2014/15) is set out in the table below:

	Legal Costs £
Belfast HSCT	2,562,278
Northern HSCT	1,271,940
South Eastern HSCT	1,228,292
Southern HSCT	1,179,800
Western HSCT	1,054,958
NIFRS	207,061

\*Source: HSCTs & DLS

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail how much the Belfast Health and Social Care Trust has spent on legal advice in the last financial year.

**(AQW 47893/11-15)**

**Mr Hamilton:** Expenditure on legal advice in the last financial year (2014/15) is set out in the table below:

	Legal Costs £
Belfast HSCT	2,562,278
Northern HSCT	1,271,940
South Eastern HSCT	1,228,292
Southern HSCT	1,179,800
Western HSCT	1,054,958
NIFRS	207,061

\*Source: HSCTs & DLS

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety what progress has been made on the development of Inflammatory Bowel Disease (IBD) medication.

**(AQW 47910/11-15)**

**Mr Hamilton:** Research into new forms of drug therapies for use in the treatment of inflammatory bowel disease (IBD) continues to be conducted throughout the UK and internationally. The most effective group of drugs for the treatment of IBD, biologics, also known as anti-TNFs, are routinely available to patients in Northern Ireland and there is no waiting list for treatment.

Access to biologics is particularly good in Northern Ireland; recent statistics produced by Crohn's and Colitis UK show that the rate of prescribing of biologics following failure to respond to more conventional treatment is 69% set against 42% nationally, the next highest jurisdiction is England on 43%. Wales 36% and Scotland 28%.

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety to detail the nature of the attack on the NI Ambulance crew attending to a patient in Cookstown on Sunday 28 June 2015; and whether the (a) ambulance crew sustained any injuries; (b) patient sustained any additional injuries; (c) ambulance was damaged and any estimated repair costs; and to detail (i) how long the ambulance will be out of service; and (ii) whether a second ambulance crew was required to take the patient to hospital.

**(AQW 47958/11-15)**

**Mr Hamilton:** Details of the attack can be found in the Northern Ireland Ambulance Service HSC Trust press release at <http://www.nias.hscni.net/ambulance-crew-assaulted-attending-call-in-cookstown/>. The full information requested is not available due to possible legal action.

It is appalling that some members of the public should behave in this fashion and such attacks on ambulance service staff must not be tolerated.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail how much the Western Health and Social Care Trust has spent on legal advice in the last financial year.

**(AQW 47972/11-15)**

**Mr Hamilton:** Expenditure on legal advice in the last financial year (2014/15) is set out in the table below:

	Legal Costs £
Belfast HSCT	2,562,278
Northern HSCT	1,271,940
South Eastern HSCT	1,228,292
Southern HSCT	1,179,800
Western HSCT	1,054,958
NIFRS	207,061

\*Source: HSCTs & DLS

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail how much the Northern Health and Social Care Trust has spent on legal advice in the last financial year.

**(AQW 47973/11-15)**

**Mr Hamilton:** Expenditure on legal advice in the last financial year (2014/15) is set out in the table below:

	Legal Costs £
Belfast HSCT	2,562,278
Northern HSCT	1,271,940
South Eastern HSCT	1,228,292
Southern HSCT	1,179,800
Western HSCT	1,054,958
NIFRS	207,061

\*Source: HSCTs & DLS

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail how much the Northern Ireland Fire and Rescue Service has spent on legal advice in the last financial year.

**(AQW 47975/11-15)**

**Mr Hamilton:** Expenditure on legal advice in the last financial year (2014/15) is set out in the table below:

	Legal Costs £
Belfast HSCT	2,562,278
Northern HSCT	1,271,940
South Eastern HSCT	1,228,292
Southern HSCT	1,179,800
Western HSCT	1,054,958
NIFRS	207,061

\*Source: HSCTs & DLS

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail how much the South Eastern Health and Social Care Trust spent on storing medical records at the Mallusk site in the last three financial years.

(AQW 47977/11-15)

**Mr Hamilton:** The South Eastern Health and Social Care Trust use sites at Mallusk and Craigavon for external records storage. It is not possible to separately isolate storage costs for medical records at the Mallusk site.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety what legislation his Department plans to bring forward by the end of the current Assembly mandate.

(AQW 48062/11-15)

**Mr Hamilton:** The Mental Capacity Bill, Food Hygiene Rating Bill, and the Health and Social Care (Control of Data Processing) Bill have already been introduced in the Assembly and are progressing through their various stages.

It is also the intention, subject to the Speaker's agreement, to introduce the Health and Personal Social Services (Amendment) Bill and, subject to Executive agreement, to introduce the Health (Miscellaneous Provisions) Bill.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether the waiting time for all elective operations have increased in the last twelve months.

(AQW 48090/11-15)

**Mr Hamilton:** At the end of June 2015, the most recent date for which official statistics are available, there were 60,127 patients waiting for inpatient admission to hospital in Northern Ireland, with an average waiting time of 18.1 weeks. This was an increase from the end of June 2014 when there were 50,330 patients waiting for inpatient admission, with an average waiting time of 12.4 weeks.

These figures include all patients waiting for 'inpatient admission', both day case and ordinary admissions, and will include a number of patients waiting to undergo a diagnostic scope procedure.

Information on inpatient waiting times is published quarterly and is available online at:

<http://www.dhsspsni.gov.uk/index/statistics/hospital/waitingtimes/waitingtimes-inpatient.htm>

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to outline the terms of reference for his Department's Regional Leadership Group's vision document scheduled to be published in Autumn 2015.

(AQW 48096/11-15)

**Mr Hamilton:** No such group exists.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety whether the Northern Ireland Fire and Rescue Service will be subjected to any in-year cuts.

(AQW 48145/11-15)

**Mr Hamilton:** Whilst, my Department continues to face significant financial challenges, there are currently no plans for further in-year reductions to the Northern Ireland Fire and Rescue Service budget in 2015/16.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety, in relation to every temporary contingency measure announced by each Health and Social Care Trust in October 2014, (i) for an update on the status of every measure; (ii) how much longer any on-going temporary measure will continue; (iii) how much each measure saved in the remainder of 2014/15; and (iv) how much each measure has saved to date in 2015/16, broken down by each Health and Social Care Trust.

(AQW 48167/11-15)



**Mr Hamilton:** An answer could only be provided at disproportionate cost.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the services provided at Bangor Hospital. (AQW 48207/11-15)

**Mr Hamilton:** The Bangor Community Hospital provides a range of health, social and primary care services which includes:

- Outpatient Clinics for diabetes, rheumatology, ENT, gynaecology, dermatology, pain, family planning, sexual health, respiratory, stroke, wound management and continence;
- A range of assessments, treatments and interventions delivered by healthcare professionals; physiotherapists, occupational therapists, podiatrists, speech and language therapists and dieticians;
- Minor Injuries Unit available 9 am to 5 pm 5 days per week;
- X-ray Department 9 am to 5 pm week day service; and,
- Fostering, Early years and Adoption service for North Down and Ards.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety when the findings of the consultation into Children's Palliative and End of Life Strategy, which closed in March 2014, will be published.

(AQW 48269/11-16)

**Mr Hamilton:** I hope to be in a position to publish the final Children's Palliative and End-of-Life Care Strategy along with the findings of my Department's consultation later this year.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 45649/11–15, when this report will be brought to the Assembly.

(AQW 48277/11-16)

**Mr Hamilton:** My Department has worked with the Health and Social Care Board and the Public Health Agency to prepare a progress report on the 99 proposals outlined in the 2011 report 'Transforming Your Care: A Review of Health and Social Care in Northern Ireland'.

I expect to be able to provide an update to the Northern Ireland Assembly shortly.

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 47516/11-15, to detail why there has been a reduction in the number of hip operations in the Western Health and Social Care Trust since 2011/2012, given the number of patients awaiting these operations has increased.

(AQW 48315/11-16)

**Mr Hamilton:** The reduction in the number of hip replacement operations in the Western Trust area is in part explained by the fire and flood which occurred in December 2012, which resulted in the temporary closure of more than half of the elective orthopaedic ward in Altnagelvin Hospital. Unscheduled trauma procedures and variation in the complexity of each individual case also contributed to the reduction. The Western Trust in common with other HSC Trusts manages their elective orthopaedic waiting list patient's treatment on a clinical priority and chronological basis.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety what investment is planned for local paediatric cardiac care as part of the all island restructuring of services.

(AQW 48318/11-16)

**Mr Hamilton:** I have made £1.2m available this year to facilitate the establishment of the service model recommended by the International Working Group, including the implementation of the Belfast Trust's proposals for enhancing cardiac care locally. A Northern Ireland subgroup of the all-island Congenital Heart Disease Network Board is overseeing the implementation of these proposals locally, and is developing bids for the investment required. Developments being considered include an initiative to improve antenatal detection of congenital cardiac conditions, provision of equipment for patient transfers between Belfast and Dublin, and improvement of telemedicine links between Belfast and Dublin. The Belfast Trust has appointed an additional adult congenital cardiac surgeon, and plans to recruit an additional paediatric cardiologist, clinical physiologist and cardiac liaison nurse. The Trust is also developing options to accommodate a Specialist Children's Heart Centre as part of the all-island network.

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety, given the cost associated with prescription drugs and the benefits connected with meditation, to detail any non-medicated measures in place to manage auto-immune conditions such as Multiple Sclerosis, Type 1 Diabetes and Rheumatoid Arthritis.

(AQW 48324/11-16)

**Mr Hamilton:** Multiple Sclerosis (MS) nursing teams within Health and Social Care Trusts (HSCTs) provide general advice to patients in relation to diet, nutrition and exercise. Appropriate referrals are made to colleagues for speech and language therapy, physiotherapy, occupational therapy, dietetics and orthoptics. Action MS and the MS Society offer non- medicinal

services such as reflexology, massage, yoga, and counselling services to patients who are made aware of these services by the MS nursing teams.

Patients with Type 1 Diabetes require insulin therapy to live therefore any therapies used by patients are in addition to this essential therapy. Non – medicated measures used by HSCTs to help with the self management of this condition include; Dose Adjustment for Normal Eating (DAFNE) and Bournemouth, Type 1 Intensive Education (BERTIE). These programmes also afford the patients access to health care professionals and referral can be made to a member of the diabetes team for counselling or to the clinical psychologist for diabetes. Clinical evidence has indicated that patients who have attended these two programmes have had a decrease in their insulin requirements. In addition, programmes such as mindfulness and relaxation techniques are also offered.

In respect of patients with Rheumatoid Arthritis, HSCTs' Rheumatology Teams work closely with their colleagues in physiotherapy, podiatry and occupational therapy to provide support. Non-medicated measures such as disease counselling and advice on management and self help for rheumatoid arthritis is also available within HSCTs and information booklets are also provided to patients.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety what plans he has to address waiting times for elective care.

**(AQW 48333/11-16)**

**Mr Hamilton:** Reducing waiting times is one of my top priorities. I would assure the Member that my Department is fully engaged with Health and Social Care on both short-term action and long-term planning to tackle waiting lists within the resources available to me. It is extremely frustrating that £9.5m is being lost back to Westminster from Northern Ireland's public finances every month as a result of welfare reform being blocked. Such a sum could fund many thousands of assessments and procedures.

I continue to look to the Health and Social Care Board (HSCB) to work with each Trust to deliver services in line with Ministerial Standards. I fully appreciate this will be challenging, especially within the constraints of the current financial position, particularly given the increasing number of referrals and necessary reduction in the use of the independent sector.

In tandem with the HSCB, each Trust is continuing to make a concerted effort to keep waiting times at a minimum and is undertaking a range of measures to achieve this, including:

- Maximising delivery of commissioned volumes across all specialties;
- Continuing prioritisation of patients by clinical urgency;
- Chronological management of non-urgent patients;
- Use of dedicated scheduling staff to manage the patient pathway of high risk patients and to maximise capacity;
- Trialling text reminder services to reduce the number of missed appointments;
- Trust specific measures to address long waits in review backlogs; and
- Undertaking specific initiatives to identify and implement alternatives to face-to-face consultant-led outpatient appointments.

The Health and Social Care Board has also been tasked with preparing a plan to cope with demand going forward and stabilise waiting times to put them on a sustainable footing over the next five years.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail how much (a) his Department; and (b) each of its arm's-length bodies has spent on agency staff in each of the last five years.

**(AQW 48359/11-16)**

**Mr Hamilton:**

- a) The amount spent on agency staff over the last five years, by DHSSPS is given below:

Organisation	Financial Year				
	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
DHSSPS	£56,715.62	£67,745.55	£0.00	£13,815.20	£23,906.12

**Source:** DHSSPS

- b) The amount spent on agency staff over the last five years, by each of the Department's Arm's-length Bodies over the last five years is given below:

Organisation	Financial Year				
	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
The Business Services Organisation	£1,512,714	£1,374,291	£2,042,323	£2,397,166	£2,644,780

Organisation	Financial Year				
	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
The Health and Social Care Board	£381,421	£360,807	£420,094	£525,650	£316,122
The Belfast HSC Trust	£13,140,000	£17,840,000	£22,930,000	£24,490,000	£27,010,000
The Northern HSC Trust	£8,533,000	£9,645,000	£14,762,000	£14,043,000	£17,266,000
The Southern HSC Trust	£4,494,000	£4,952,000	£9,233,000	£8,606,000	£8,803,000
The South Eastern HSC Trust	£6,049,846	£8,229,651	£13,230,527	£11,590,905	£9,699,194
The Western HSC Trust	£11,608,301	£10,202,989	£10,704,067	£12,282,891	£15,677,902
The NI Ambulance Service	£481,818	£398,148	£594,441	£620,534	£615,869
The Patient Client Council	£75,780	£163,866	£163,890	£147,170	£111,387
The Regulation and Quality Improvement Authority	£95,782	£91,102	£180,017	£122,974	£44,128
The NI Practice and Education Council	£16,950	£4,027	£0	£0	£15,605
The NI Blood Transfusion Service	£4,027	£0	£6,617	£10,047	£32,462
The Public Health Agency	£479,891	£319,043	£158,760	£246,105	£238,945
The NI Social Care Council	£179,467	£71,276	£57,569	£45,942	£57,950
The NI Guardian Ad Litem Agency	£10,086	£20,675	£21,164	£25,692	£63,167
The NI Medical and Dental Training Agency	£16,477	£14,296	£40,875	£84,458	£101,398
The NI Fire and Rescue Service	£1,090,455	£1,042,262	£1,222,821	£1,289,117	£880,465

**Source:** Individual ALBs

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety whether the all island approach to paediatric cardiac care will mean that Republic of Ireland citizens can access local services.

**(AQW 48366/11-16)**

**Mr Hamilton:** The immediate priority of the all-island Congenital Heart Disease Network is the transfer of paediatric surgery to Dublin, which requires sufficient capacity to be developed there to accommodate Northern Ireland patients. When the network is fully established patient pathways will be determined by the clinicians who represent both jurisdictions on the Network, and will place the needs of the child at the forefront in all considerations. The possibility of Republic of Ireland children accessing specialist cardiology services in Northern Ireland will therefore be open to them.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the sources used by his Department and the Health and Social Care Board in order to analyse the demand for Health and Social Care services.

**(AQW 48381/11-16)**

**Mr Hamilton:** The Health and Social Care Service uses a number of methods to analyse demand for services and to identify the root causes of that demand.

Demand for specific services is analysed regularly using information on referral rates from GP practices. A demographic model - based on current population estimates and national population projections broken down by age and gender - is used to predict the likely growth in demand for services over time. The predicted prevalence of diseases such as heart disease, diabetes and cancer is also considered, drawing on public health data and the findings of national audits and regional and national publications.

As well as analysing demand, these approaches also enable the Health and Social Care Service to identify the root causes of demand, including those associated with a growing and ageing population, changing patterns of disease, and lifestyle factors.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail how his Department identifies the root causes behind the increase in demand for Health and Social Care services.

**(AQW 48387/11-16)**

**Mr Hamilton:** The Health and Social Care Service uses a number of methods to analyse demand for services and to identify the root causes of that demand.

Demand for specific services is analysed regularly using information on referral rates from GP practices. A demographic model - based on current population estimates and national population projections broken down by age and gender - is used to predict the likely growth in demand for services over time. The predicted prevalence of diseases such as heart disease, diabetes and cancer is also considered, drawing on public health data and the findings of national audits and regional and national publications.

As well as analysing demand, these approaches also enable the Health and Social Care Service to identify the root causes of demand, including those associated with a growing and ageing population, changing patterns of disease, and lifestyle factors.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety how many people are currently waiting for an insulin pump in each Health and Social Care Trust, broken down by patient age band.

**(AQW 48418/11-16)**

**Mr Hamilton:** The number of people in each Health and Social Care (HSC) Trust waiting for an insulin pump at 27th October 2015 can be found in Table 1 below.

**Table 1. Number of people waiting for an insulin pump at 27th October 2015, by HSC Trust.**

HSC Trust	17 years and under	18-64 years	65 years+	Total Waiting
Belfast	12	0	0	12
Northern	5	0	0	5
South Eastern	43	4	0	47
Southern	6	4	0	10
Western	15	18	0	33

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety how many insulin pumps have been fitted within the Western Health and Social Care Trust, in each of the last five years.

**(AQW 48420/11-16)**

**Mr Hamilton:** The number of insulin pumps fitted within the Western Health and Social Care (HSC) Trust in each of the last five years can be found in Table 1 below.

These figures relate to new pumps that have been fitted and do not include replacement pumps issued to pre-existing insulin pump users.

**Table 1. Insulin Pumps Fitted in the Western HSC Trust (2011-2015)**

Year	Paediatric new pump starts	Adult new pump starts
2011	12	4
2012	8	11
2013	10	14
2014	13	12
2015 ( up to 27th October)	10	5

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 47332/11-15, to make the results of the annual assessment of progress against standards available, for each of the last three years.

**(AQW 48429/11-16)**

**Mr Hamilton:** The Health and Social Care Board (HSCB) and Health and Social Care Trusts (HSCTs) adopted Adult Audiology Quality Standards in 2013 in order to develop a process of continuous and measurable service improvement in Audiology services across Northern Ireland. The HSCB has acknowledged that while the implementation of the standards by Trusts was expected to take 3 years, the pace of implementation has been slower than expected, mainly due to staffing issues.

The Adult Quality Standards cover a range of nine quality indicators, including Accessing the Service, Information Provision and Communication with Patients, Assessment, Developing an Individual Management Plan with patients, Professional Competence and Multi-Agency working. These indicators are self-assessed and evidence provided by services to support the assessment of progress against the Standards.

In 2012, the first assessment was completed as part of the baseline scoping exercise and the regional average was 41%. In 2013 this position had improved to an average of 49%. In 2014 the HSCB and Trusts focussed on an assessment of the



demand and capacity of services required to deliver an audiology service that provides timely care for patients and that meets the Quality Standards. No formal assessment against Standards was carried out while this detailed work was undertaken. The assessment for 2015 will take place in October 2015 and the outcome will inform the continuous improvement process within Trusts.

To complement this work over the past three years, the HSCB has also completed two surveys of patient experience, carried out with local Trusts and Action on Hearing Loss, that have informed services on areas for improvement. The surveys showed that existing services users expressed a high level of satisfaction with their treatment, with the vast majority stating that the staff they had met demonstrated professionalism in their role, and that they were happy with the overall service they had received.

The surveys and the assessments against standards have highlighted areas where Trusts could continue to improve the service, including the provision of timely and relevant information to meet the needs of hearing impaired patients and practical information at the time of fitting on how to fit and wear the hearing aid and action is now being taken forward by Trusts to respond to these findings.

The HSCB remains committed to supporting Trusts to implement the Adult Quality Standards within the context of staffing issues and where required, available funding to enable the capacity of the service to meet the access targets.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail all community initiatives supported by his Department or its arm's-length bodies that promote health outcomes in South Belfast.  
(AQW 48435/11-16)

**Mr Hamilton:** Information has previously been provided detailing the community and voluntary organisations in South Belfast who received funding from this Department (AQW 46001/11-15 refers).

In respect of family services, the Family Support website may be interrogated geographically to ascertain services being supported. The web link can be accessed at <http://www.familysupportni.gov.uk/>

In respect of health improvement and health inequalities, the PHA supports a wide range of programmes in Belfast, largely commissioned through the community and voluntary sector. Most service providers are commissioned to provide services on a Belfast-wide basis to those most in need, across a number of health and wellbeing programme areas as follows –

- |                                  |                     |
|----------------------------------|---------------------|
| ■ Belfast Strategic Partnership  | ■ Later Years       |
| ■ Community Development          | ■ Nutrition/Obesity |
| ■ Drugs and Alcohol              | ■ Poverty           |
| ■ Hidden Harm Service Area       | ■ Protect Life      |
| ■ Ethnic Minorities and Migrants | ■ Sexual Health     |
| ■ Healthy Living Centres         | ■ Tobacco           |
| ■ Home Accident Prevention       |                     |

Some of the Belfast-wide services are delivered through a number of locally based service providers who collaborate across the city to support efficient access to local services for local residents.

Some key investments in South Belfast to highlight include –

- South Belfast Partnership – Health and Social Wellbeing Development Officer to deliver a Health and Wellbeing Programme within the Partnership Board area; Weight management programme bringing together Healthy Living Centres in a co-ordinated programme
- Healthy Living Centres – Ballynafeigh and Taughmonagh, Greater Village Regeneration Trust, Lower Ormeau Residents Action Group – each runs a series of health and wellbeing programmes for residents
- Chinese Welfare Association – BME Health Link, Advocacy Programme improving access to Health Services for BME and training to health professionals

In addition, the Health and Social Care Board run community initiatives in South Belfast, such as:

- |  |                                  |
|--|----------------------------------|
| ■ Enhancement of the Diabetes Services | ■ Healthwise                     |
| ■ Acute Care at Home                   | ■ Primary Care Talking Therapies |
| ■ Chronic Disease Prevention Hub       |                                  |

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the antenatal detection rate for congenital heart disease by (a) number; and (b) type, for children born in Northern Ireland, in each of the last 3 years.  
(AQW 48438/11-16)

**Mr Hamilton:** The requested information is not currently available and could only be acquired at disproportionate cost.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety (i) to confirm a helipad was constructed in accordance with the plans at the new Accident and Emergency unit in the Royal Victoria Hospital; and (ii) why the helipad is not operational.  
(AQW 48444/11-16)

**Mr Hamilton:** No helipad has been constructed at the Royal Victoria Hospital.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety whether he plans to increase access to palliative care for anyone who needs it; including individuals suffering from multiple sclerosis, Parkinson's disease and acute strokes.  
(AQW 48452/11-16)

**Mr Hamilton:** 'Living Matters:Dying Matters', my Department's palliative and end of life care strategy for adults, was published in March 2010 with a vision that any person with an advanced, non-curative condition is supported to live well and die well, irrespective of their condition or care setting. This included improved access to care and support services for people living with a terminal illness and their families. Significant progress has been made in the implementation of the Strategy's recommendations.

The Strategy is also supported by the Transforming Your Palliative and End of Life Care (TYPELC) programme, currently being delivered in partnership between the Health and Social Care Board (HSCB), Public Health Agency (PHA) and Marie Curie. The aim of the programme is to improve the design and delivery of co-ordinated services and enable people with palliative and end of life care needs to have choice in their preferred place of care, thereby improving access to and the quality of palliative and end of life care.

Areas being considered as part of the TYPELC programme include support for patients and carers, training for healthcare providers, enhanced access to care services at home, redesign of day hospice services and identification and planning for people with palliative care needs.

Planning of care for people with palliative care needs has also been supported by the development of the End of Life Care Operational System (ELCOS) to identify people who may be in the last year of life so that their needs can be appropriately assessed and managed.

There is strong partnership working between the HSCB, PHA, HSC Trusts and community and voluntary sectors in the provision of palliative care services. Recently, the HSCB and PHA further invested in an enhanced palliative care rapid response service. This is a partnership between Marie Curie palliative care nurses and local GP out of hours services to provide response to calls for care and assistance in order to support care at home and avoid unnecessary transfer to hospital.

Co-working between condition specific services, such as those for people with MS and Parkinson's Disease, and palliative care specialists is already in place. Current proposals as part of TYPELC for the re-design of day hospice services will strengthen these arrangements.

The Regulation and Quality Improvement Authority has undertaken a review of the implementation of the Living Matters:Dying Matters Strategy to assess progress against the recommendations in the Strategy's action plan. My Department will consider the findings and any recommendations of the review report when this is published.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety whether he will update the current Living Matters, Dying Matters palliative and end of life care strategy for adults, so that provision is increased for everyone with a terminal illness.  
(AQW 48453/11-16)

**Mr Hamilton:** 'Living Matters:Dying Matters', my Department's palliative and end of life care strategy for adults, was published in March 2010 with a vision that any person with an advanced, non-curative condition is supported to live well and die well, irrespective of their condition or care setting. This included improved access to care and support services for people living with a terminal illness and their families. Significant progress has been made in the implementation of the Strategy's recommendations.

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The Regulation and Quality Improvement Authority has undertaken a review of the implementation of the Living Matters:Dying Matters Strategy to assess progress against the recommendations in the Strategy's action plan. My Department will consider the findings and any recommendations of the review report when this is published.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety for his assessment of the current accessibility to palliative care for patients living with a terminal illness, other than cancer.

**(AQW 48454/11-16)**

**Mr Hamilton:** 'Living Matters:Dying Matters', my Department's palliative and end of life care strategy for adults, was published in March 2010 with a vision that any person with an advanced, non-curative condition is supported to live well and die well, irrespective of their condition or care setting. This included improved access to care and support services for people living with a terminal illness and their families. Significant progress has been made in the implementation of the Strategy's recommendations.

The Strategy is also supported by the Transforming Your Palliative and End of Life Care (TYPELC) programme, currently being delivered in partnership between the Health and Social Care Board (HSCB), Public Health Agency (PHA) and Marie Curie. The aim of the programme is to improve the design and delivery of co-ordinated services and enable people with palliative and end of life care needs to have choice in their preferred place of care, thereby improving access to and the quality of palliative and end of life care.

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The Regulation and Quality Improvement Authority has undertaken a review of the implementation of the Living Matters:Dying Matters Strategy to assess progress against the recommendations in the Strategy's action plan. My Department will consider the findings and any recommendations of the review report when this is published.

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety to detail the number of children in full time care homes in each of the last three financial years, broken down by Health and Social Care Trust.

**(AQW 48468/11-16)**

**Mr Hamilton:** It is assumed that children in full time care homes refer to those children looked after placed in residential accommodation by Health and Social Care (HSC) Trusts.

Table 1 below details the number of children in residential care each of the last three financial years broken down by HSC Trust area.

**Table 1: Children in Full Time Care Homes by HSC Trust area at 31 March (2013 – 2015)**

HSC Trust	Year		
	2013	2014	2015*
Belfast	61	63	62
Northern	42	34	34
South Eastern	50	39	39
Southern	22	20	21
Western	42	39	38
Total	217	195	194

**Source:** HSC Board Corporate Parenting Return 10.3.3

\*Please note that figures for 2015 are provisional and potentially subject to change

Please note that these figures are published annually on the Department's website in 'Children's Social Care Statistics for Northern Ireland', which is available at the following link:

<http://www.dhsspsni.gov.uk/index/statistics/socialcare/lookedafterchildren.htm>

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety for a breakdown of the buildings and sites owned by the Northern Ireland Fire and Rescue Service (i) currently decommissioned; (ii) offered for sale; and (iii) with replacement buildings under consideration in (a) the current financial year; and (b) the next financial year.

**(AQW 48469/11-16)**

**Mr Hamilton:** The following tables show the breakdown of the buildings and sites owned by the Northern Fire and Rescue Service (i) currently decommissioned; (ii) offered for sale and (iii) with replacement buildings under consideration in (a) the current financial year; and (b) the next financial year.

(i) Decommissioned buildings and sites

Omagh Fire Station	Mountjoy Road, Omagh
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(ii) Building and Sites currently for Sale:

Omagh Fire Station	Mountjoy Road, Omagh
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(iii) Replacement buildings under consideration in:

(a) the current financial year:

Transport Workshops & Stores	1 Seymour Street, Lisburn
Cushendall Fire Station	41 Coast Road, Cushendall
Downpatrick Fire Station	19 Church Street, Downpatrick

(b) the next financial year: Nil

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety for a breakdown of the buildings and sites owned by the Western Health and Social Care Trust (i) currently decommissioned; and (ii) for sale or under offer.

**(AQW 48470/11-16)**

**Mr Hamilton:** The following tables show the breakdown of the buildings and sites owned by the Western Health and Social Care Trust (i) currently decommissioned; and (ii) for sale or under offer.

(i) Buildings and Sites decommissioned – WHSCT

Coneywarren, Children's Home	Beltany Road, Omagh, County Tyrone, BT78 5NA
Foyleville Residential Home for Elderly (excluding Day Centre)	Academy Road, Londonderry, BT48 7LE
Gortmore Old People's Home (excluding Day Centre)	18a Derry Road, Omagh, County Tyrone, BT78 5DR
Drumhaw Old People's Home (excluding Day Centre)	Drumhaw Park, Lisnaskea, County Fermanagh, BT92 0GT
Slievemore Old People's Home (excluding adjacent accommodation housing Community Mental Health Team)	2 Village Lane, Glengalliagh, Londonderry, BT48 8FA

(ii) Building and Sites currently for Sale/Under Offer – WHSCT

Hazelwood (Numbers 1 and 2)	Riverview Road, Omagh, County Tyrone, BT78 0PU
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**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 45925/11-15, to detail the amount of Financial Transaction Capital (FTC) that has been allocated to GP practices to date.

**(AQW 48499/11-16)**

**Mr Hamilton:** Tranche 1 of the GP Loan Scheme was launched in December 2014. Subsequently, Letters of Offer for a total loan value of £3,650,681 were issued to GPs on 1 June 2015. Drawdown of loans issued under Tranche 1 are expected to start in October 2015.

Tranche 2 of the GP Loan Scheme was launched in June 2015. Letters of Offer for a total loan value of £2,490,031 were issued to GPs on 20 August 2015. Drawdown of loans issued under Tranche 2 are expected to start in December 2015.

Tranche 3 of the scheme is open for applications in 2015/16. The HSCB continues to work with GPs interested in applying for a GP Loan under Tranche 3 of the scheme and expects a number of further applications to be received.



**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what support his Department is providing for children with autism in South Belfast.

**(AQW 48501/11-16)**

**Mr Hamilton:** Within the Belfast Trust autism services are delivered across the Trust area irrespective of geographical area. Following a diagnosis of autism, all children, young people and families are referred to the Autism Intervention Service which provides a multi-disciplinary and multi-agency approach to care. The Trust also works closely with its third sector partners with regard to delivery of intervention and support and these are integrated into the Trust service delivery model.

A number of workshops are available at initial diagnosis, providing parents and other family members with an opportunity to gain more information regarding autism and to link with other families experiencing similar anxieties. The Trust has also developed 'Level 2' workshops, which provide more problem-specific intervention, advice and follow up. Individual discussion with the child about their diagnosis and individual therapy are also available as required.

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety for a breakdown of waiting lists for urology services in each Health and Social Care Trust, for each of the last three years.

**(AQW 48540/11-16)**

**Mr Hamilton:** Information on the number of people waiting for (i) a first consultant led outpatient appointment and (ii) inpatient admission, in the Urology specialty in each Health and Social Care Trust, is outlined in the tables below. Data is presented for the waiting time position at 30th June 2015, the most recent date for which official statistics is available, and at the same point in time for each of the two years previous.

Tables 1 – 3 detail the waiting times position for a first consultant led outpatient appointment in the Urology specialty by HSC Trust and weeks waiting.

**Table 1: Waiting time position at 30th June 2015**

HSC Trust	Patients Waiting for a First Outpatient Appointment, by Weeks Waiting, at 30th June 2015						Total Waiting
	0-6	>6-9	>9-12	>12-15	>15-18	>18	
Belfast	631	183	175	149	177	1,835	3,150
Northern	184	65	64	36	45	131	525
South Eastern	322	109	104	105	103	1,658	2,401
Southern	468	191	139	136	120	1,003	2,057
Western	268	40	18	5	1	1	333
N. Ireland	1,873	588	500	431	446	4,628	8,466

**Source:** Departmental CH3 return

**Table 2: Waiting time position at 30th June 2014**

HSC Trust	Patients Waiting for a First Outpatient Appointment, by Weeks Waiting, at 30th June 2014						Total Waiting
	0-6	>6-9	>9-12	>12-15	>15-18	>18	
Belfast	666	218	174	198	190	1,089	2,535
Northern	252	109	86	87	101	308	943
South Eastern	413	135	122	129	118	517	1,434
Southern	439	180	150	175	129	415	1,488
Western	330	31	1	0	0	0	362
N. Ireland	2,100	673	533	589	538	2,329	6,762

**Source:** Departmental CH3 return

**Table 3: Waiting time position at 30th June 2013**

HSC Trust	Patients Waiting for a First Outpatient Appointment, by Weeks Waiting, at 30th June 2013						Total Waiting
	0-6	>6-9	>9-12	>12-15	>15-18	>18	
Belfast	620	233	227	166	210	351	1,807

HSC Trust	Patients Waiting for a First Outpatient Appointment, by Weeks Waiting, at 30th June 2013						Total Waiting
	0-6	>6-9	>9-12	>12-15	>15-18	>18	
Northern	327	78	68	32	29	28	562
South Eastern	347	28	0	0	0	0	375
Southern	440	133	45	10	3	8	639
Western	314	40	0	0	0	0	354
N. Ireland	2,048	512	340	208	242	387	3,737

**Source:** Departmental CH3 return

Tables 4 – 6 detail the waiting times position for patients waiting for inpatient admission in the Urology specialty by HSC Trust and weeks waiting.

**Table 4: Waiting time position at 30th June 2015**

HSC Trust	Patients Waiting for Inpatient Admission, by Weeks Waiting, at 30th June 2015					Total Waiting
	0-6	>6-13	>13-21	>21-26	>26	
Belfast	829	274	251	131	1,302	2,787
Northern	190	158	116	23	29	516
South Eastern	280	184	59	32	165	720
Southern	198	179	149	44	278	848
Western	277	164	105	74	114	734
N. Ireland	1,774	959	680	304	1,888	5,605

**Source:** DHSSPS Inpatient Waiting Times Dataset

**Table 5: Waiting time position at 30th June 2014**

HSC Trust	Patients Waiting for Inpatient Admission, by Weeks Waiting, at 30th June 2014					Total Waiting
	0-6	>6-13	>13-21	>21-26	>26	
Belfast	699	311	298	146	903	2,357
Northern	316	255	169	45	114	899
South Eastern	350	165	108	53	100	776
Southern	305	220	169	83	346	1,123
Western	223	62	0	0	0	285
N. Ireland	1,893	1,013	744	327	1,463	5,440

**Source:** DHSSPS Inpatient Waiting Times Dataset

**Table 6: Waiting time position at 30th June 2013**

HSC Trust	Patients Waiting for Inpatient Admission, by Weeks Waiting, at 30th June 2013					Total Waiting
	0-6	>6-13	>13-21	>21-26	>26	
Belfast	615	401	556	124	258	1,954
Northern	344	118	97	21	14	594
South Eastern	322	160	100	6	0	588
Southern	252	152	196	65	218	883
Western	224	126	4	2	0	356

HSC Trust	Patients Waiting for Inpatient Admission, by Weeks Waiting, at 30th June 2013					Total Waiting
	0-6	>6-13	>13-21	>21-26	>26	
N. Ireland	1,757	957	953	218	490	4,375

**Source:** DHSSPS Inpatient Waiting Times Dataset

Information on waiting times is published quarterly by specialty and is available online at:  
<http://www.dhsspsni.gov.uk/index/statistics/hospital/waitingtimes.htm>

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 47517/11-15, for a breakdown of the number of operations undertaken by each orthopaedic surgeon in each of the last three financial years.  
**(AQW 48541/11-16)**

**Mr Hamilton:** Information on the number of operations undertaken by each orthopaedic surgeon is not collected centrally.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety whether he has received an estimate an estimate of the cost of completing the repairs identified in the condition report on Northfield House residential home.  
**(AQW 48544/11-16)**

**Mr Hamilton:** A condition report was completed on Northfield House residential care home in September 2014. The condition report indicated that while the home is maintained in a satisfactory condition, the building is in need of major refurbishment to bring the home to current HTM (Health Technical Memorandum) and Building Control Standards. The South Eastern HSC Trust has advised that the estimated cost of this major refurbishment is £2.2m.

**Mr Ó hOisín** asked the Minister of Health, Social Services and Public Safety for an update on the five new fire station proposals which were previously at business case stage with a view to progressing to design stage.  
**(AQW 48569/11-16)**

**Mr Hamilton:** Outline Business Cases for replacement stations at both Cushendall and Downpatrick are currently under consideration.

Due to current budgetary constraints NIFRS will not be progressing Ballycastle, Fintona and Newtownstewart business cases in this financial year.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety for an update on proposals to reform rules on organ donation, including the introduction of an opt-out system.  
**(AQW 48593/11-16)**

**Mr Hamilton:** I have not made any proposals to change the current arrangements for organ donation. My Department's policy on organ donation and transplantation is to fully implement the 2013 UK-wide strategy 'Taking Organ Transplantation to 2020 – a UK Strategy'. This strategy aims to make the UK's organ donation rate one of the best in the world and enable the UK to match world class performance in organ donation and transplantation.

**Mr Middleton** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) staff appointed; and (ii) positions still to be filled in the new radiotherapy centre at Altnagelvin Hospital.  
**(AQW 48611/11-16)**

**Mr Hamilton:** There are (i) 29 staff appointed; and (ii) 186 positions still to be filled in the new Radiotherapy centre, Altnagelvin. This is in line with the profile of appointments necessary to facilitate the service planning and commissioning of the Radiotherapy Centre by Autumn 2016.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the number of autism coordinators contracted to each Health and Social Care Trust, in each of the last five years.  
**(AQW 48630/11-16)**

**Mr Hamilton:** The figures requested are shown in terms of headcount (HC) and whole-time equivalent (WTE) in the table below.

Year	Belfast		Northern		South Eastern		Southern		Western	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
2011	1	1.0	1	1.0	0	0.0	1	1.0	1	0.6
2012	1	1.0	1	1.0	1	1.0	1	1.0	1	0.6
2013	1	1.0	1	1.0	1	1.0	1	1.0	1	0.6

Year	Belfast		Northern		South Eastern		Southern		Western	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
2014	1	1.0	1	1.0	1	0.5	1	1.0	1	0.6
2015	1	1.0	1	1.0	1	1.0	1	1.0	1	0.6

**Source:** HSC Trusts

These figures refer to the 1st September in each year. The post in the South Eastern Trust was filled from the 17th October 2011 onwards.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety how his Department ensures (i) the effective administration of Direct Payments by Health and Social Care Trusts; and (ii) that Health and Social Care Trusts keep the administration of payments under review.

**(AQW 48654/11-16)**

**Mr Hamilton:** My Department issued the following overarching guidance to Health and Social Care (HSC) Board and Trusts in order to assist the HSC in implementation and the administration of an effective direct payment scheme. This guidance can be accessed via the attached link:

[http://www.dhsspsni.gov.uk/direct\\_payments\\_legislation\\_and\\_guidance\\_for\\_boards\\_and\\_trusts.pdf](http://www.dhsspsni.gov.uk/direct_payments_legislation_and_guidance_for_boards_and_trusts.pdf).

In addition, my Department issued further guidance on accounting and monitoring requirements for the administration of Direct Payments. This provides both the HSC and the Direct Payment recipient with detailed direction on their respective financial responsibilities, see link attached <http://www.dhsspsni.gov.uk/eccu3-09.pdf>.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety for an update on the introduction of pulse oximetry testing for all new borns.

**(AQW 49988/11-16)**

**Mr Hamilton:** My Department is advised by the UK National Screening Committee (NSC) about all aspects of screening. Using research evidence, pilot programmes and economic evaluation, the NSC assesses the evidence for programmes against a set of internationally recognised criteria covering the condition, the test, the treatment options and the effectiveness and acceptability of the screening programme.

The NSC has reviewed the evidence for adding pulse oximetry to the screening pathway to detect congenital heart disease in newborns. At their meeting in March 2014 they recommended piloting the use of pulse oximetry to evaluate the impact of implementation on NHS services and to establish feasibility for future national rollout as an addition to the existing suite of screening tests undertaken as part of the newborn programme.

The pilot has commenced and is expected to report next year. The NSC will consider the findings from the pilot and will make a policy recommendation for the UK. I will consider this advice when it is available.

**Ms Ruane** asked the Minister of Health, Social Services and Public Safety how many local patients are being treated for polio.

**(AQW 49990/11-16)**

**Mr Hamilton:** As at 26th October 2015 there are no patients in Northern Ireland being treated for Acute Poliomyelitis.

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety what steps he is taking to protect Lifeline.

**(AQW 50000/11-16)**

**Mr Hamilton:** The Lifeline service is commissioned by the Public Health Agency. The current Lifeline contract ends on 31 December 2015 with the possibility of extension until 30 September 2016, subject to the agreement of the current service provider.

The Lifeline crisis response service is a key component of the Protect Life suicide prevention strategy. It provides essential support to people at a time when they are at their most vulnerable. Lifeline was established to provide immediate support and de-escalation for people in severe emotional crisis who are at high risk of suicide. Proposals for the future model of Lifeline service provision are currently out for public consultation. The aim is to have a new contract in place by October 2016.

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety to detail his Department's suicide prevention strategy for the next five years, that specifically deals with (i) young people; (ii) the LGBT community; and (iii) people with mental health issues.

**(AQW 50001/11-16)**

**Mr Hamilton:** A new draft strategy will be issued for consultation in early 2016. It will be in two parts: the first covering frontline intervention and postvention, and the second covering early intervention to promote emotional resilience and positive mental health as protective factors to reduce suicide risk. The early intervention section will include tailored support for young



people, those with mental health issues and raised risk groups. The frontline intervention section will include specific actions to reduce the incidence of suicide amongst those in the care of mental health services.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the final cost of building the new cancer unit at Altnagelvin Hospital.

**(AQW 50003/11-16)**

**Mr Hamilton:** The final costs for the new cancer unit at Altnagelvin Hospital are not yet known however total, capital investment for this project is £66.1m, which includes a €19m contribution from the Republic of Ireland.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail how much of the cost of building the new cancer unit at Altnagelvin Hospital will be paid for by the government in the Republic of Ireland.

**(AQW 50004/11-16)**

**Mr Hamilton:** The final costs for the new cancer unit at Altnagelvin Hospital are not yet known however total, capital investment for this project is £66.1m, which includes a €19m contribution from the Republic of Ireland.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many Emergency Departments were closed under the former Minister of Health, Social Services and Public Safety, Michael McGimpsey.

**(AQW 50005/11-16)**

**Mr Hamilton:** During the period when Michael McGimpsey MLA was Minister for Health, Social Services and Public Safety the following EDs were reconfigured from Type 2 ED to Type 3 ED:

- Tyrone County Hospital Emergency Department (2 March 2009)
- Whiteabbey Hospital Emergency Department (24 May 2010)
- Mid Ulster Hospital Emergency Department (24 May 2010).

Type 2 EDs are a consultant-led service . Type 3 is a minor injuries unit which may be doctor or nurse led.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many Residential homes were closed under the former Minister of Health, Social Services and Public Safety, Michael McGimpsey.

**(AQW 50006/11-16)**

**Mr Hamilton:** There were six statutory residential care homes for older people closed during the period when Michael McGimpsey was Minister of Health, Social Services and Public Safety. The homes and dates of closures are as follows, broken down by Trust:

South Eastern HSC Trust

- Seymour House, Lisburn: 2009
- Grove House, Ballynahinch: 2009
- St Johns's Grove, Downpatrick: 2010
- Loch Cuan House, Newtownards: 2011

Western HSC Trust

- Foyleville Residential Home: Londonderry/Derry: 2010
- Drumahaw House: Enniskillen: 2011

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on the North West Health Innovation Corridor.

**(AQW 50016/11-16)**

**Mr Hamilton:** The North West Health Innovation Corridor is not a Departmental initiative. However I would be supportive of it insofar as its objectives in promoting healthcare innovation complement the Executive's wider health and economy agenda.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety what plans he has put in place to address waiting lists in the health service.

**(AQW 50034/11-16)**

**Mr Hamilton:** Reducing waiting times is one of my top priorities. I would assure the Member that my Department is fully engaged with Health and Social Care Board and Trusts on both short-term action and long-term planning to tackle waiting lists within the resources available to me. It is extremely frustrating that £9.5m is being lost back to Westminster from Northern Ireland's public finances every month as a result of welfare reform being blocked. Such a sum could fund many thousands of assessments and procedures.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail what steps he is taking to ensure the work of Lifeline can continue.

**(AQW 50042/11-16)**

**Mr Hamilton:** The Lifeline service is commissioned by the Public Health Agency. The current Lifeline contract ends on 31 December 2015 with the possibility of extension until 30 September 2016, subject to the agreement of the current service provider.

The Lifeline crisis response service is a key component of the Protect Life suicide prevention strategy. It provides essential support to people at a time when they are at their most vulnerable. Lifeline was established to provide immediate support and de-escalation for people in severe emotional crisis who are at high risk of suicide. This focus will be maintained. Proposals for the future model of Lifeline service provision are currently out for public consultation. The aim is to have a new contract in place by October 2016.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether his Department has signed up to National Institute for Health and Care Excellence guidance on social care.

**(AQW 50054/11-16)**

**Mr Hamilton:** My Department is considering its policy position in respect of NICE guidance on social care as it is not currently endorsed in Northern Ireland.

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety (i) for his assessment of nursing staff levels; (ii) whether an increase in nursing staff levels will be required in order to meet future demand; and (iii) to detail any proposals he has to increase nursing staff levels.

**(AQW 50062/11-16)**

**Mr Hamilton:** My Department is currently undertaking a review of nurse staffing levels. In order to determine staffing ranges for the nursing and midwifery workforce across a range of major specialties my Department also developed a framework in 2014; Delivering Care:

- (i) Nurse Staffing in Northern Ireland. In support of the framework's findings the Health and Social Care Board recently allocated £12million for the implementation of Phase 1 in acute hospital wards; further phases will address District Nursing, Health Visiting and Emergency Departments;
- (ii) the current review of nurse staffing levels will assess demands on the nursing and midwifery workforce over a 10-year horizon and will be used to inform any decisions on increasing staff levels, as appropriate;
- (iii) in addition, the findings of the review will inform any measures, including any pre and post-registration training and return to practice training which are necessary to develop and sustain this workforce.

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety for his assessment of the cost of employing agency nurses in (i) Health and Social Care Trusts; and (ii) the private nursing and residential care sector.

**(AQW 50068/11-16)**

**Mr Hamilton:**

- (i) Trust expenditure on agency nurses is a necessity to ensure that safe and effective services are sustained whilst it also contributes to maintaining service provision to patients and clients. However, I expect all HSC Trusts to continuously examine reliance upon agency staff and my Department will monitor expenditure closely.
- (i) My department is not responsible for staffing arrangements within private sector care homes.

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety to detail any discussions he has had with the Minister for Employment and Learning regarding the number of nursing places at Universities and Colleges.

**(AQW 50069/11-16)**

**Mr Hamilton:** Responsibility for the commissioning of student nursing places in Northern Ireland is entirely a matter for my Department therefore no discussions have taken place with the Minister for Employment and Learning.

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety for his assessment of the tariff for private residential care homes; and whether this is sufficient to enable private residential care homes to employ adequate numbers of staff.

**(AQW 50070/11-16)**

**Mr Hamilton:** The regional tariff rate is a matter for the Health and Social Care Board (HSCB); the Department has no role in establishing the rates paid for care.

The HSCB negotiates on an annual basis a regional tariff rate with the independent sector for residential and nursing home care. The regional tariff rate is a guide to what the HSC considers to be fair and affordable, not a fixed price for a care placement. It is for the HSCB, as the chief commissioner of care, to assure itself that the rates paid represent the best possible outcome within the resources available to it in terms of procuring quality care at a sustainable price which represents value for money.

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety to detail the level of the departmental tariff for private residential care homes in each of the last five years.

**(AQW 50071/11-16)**

**Mr Hamilton:** The regional tariff rate is a matter for the Health and Social Care Board (HSCB). The Department has no role in establishing the rates paid for care.

The table below details the regional tariff rate set by the HSCB for the last 5 years for residential care homes.

	2011/12	2012/13	2013/14	2014/15	2015/16
Programme of Care: Elderly, Learning Disability and Mental Health	£426	£437	£450	£461	£470
Programme of Care: Physical Disability	£478	£490	£505	£518	£528

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety for an update on his Department's suicide prevention strategy, including details of existing targets to address and reduce suicide.

**(AQW 50111/11-16)**

**Mr Hamilton:** A wide range of services and programmes are delivered under the "Protect Life" strategy. These include the Lifeline crisis response service, suicide prevention training, community-based counselling support, education campaigns, self harm prevention programmes, and bereavement support. A new strategy is being developed and will be issued for public consultation in 2016.

The long-term goal of "Protect Life" is to reduce the prevalence of suicide in Northern Ireland; the aim, within the lifetime of the current strategy, is to reduce the differential in the suicide rate between deprived and non-deprived areas within Northern Ireland. To date, this inequality gap has remained constant, although the final outcome will not be known until 2016 as suicide rates are measured on a three year rolling average.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to outline how he will work with agencies, including Lifeline, to mitigate the risks leading to the overrepresentation of males in occurrences of suicide.

**(AQW 50112/11-16)**

**Mr Hamilton:** The Public Health Agency commissions a range of suicide prevention services targeted at males including: mental health public information campaigns to encourage help seeking behaviour; mental health training programmes; community focused mental health awareness programmes; and mentoring for young men who have experienced suicidal ideation and/or self harm.

Some of the "Lifeline" communications are also targeted at a male audience, for example, through late night radio programme sponsorship on U105 with customised messages for men, and awareness sessions and information material for construction workers and haulage companies.

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety for an update on the current standard of residential care in Blair House, Newtownards.

**(AQW 50113/11-16)**

**Mr Hamilton:** The Regulation and Quality Improvement Authority (RQIA) is responsible for inspecting standards of care delivered by statutory and independent providers including nursing homes. RQIA has advised that since it was established in 2005, Blair House has not been subject to any enforcements actions. The most recent inspection on Blair House was undertaken by RQIA in September 2015. It is due to publish a report on its findings in November 2015.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety how many of his departmental staff have a registered disability, broken down by (i) full time equivalent; and (ii) as a percentage of the workforce.

**(AQW 50114/11-16)**

**Mr Hamilton:** At 1 July 2015, 21.6 full time equivalent staff in my Department have declared a disability which represents 4.7% of DHSSPS workforce.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what assurances will he give to older people to ensure they will receive the proper and necessary home care services when they are discharged from hospital following surgery or other treatment.

**(AQW 50129/11-16)**

**Mr Hamilton:** A full assessment of individual need is undertaken by hospital and community based teams to ensure that older people receive the necessary care and support at home following a stay in hospital for surgery or other treatment. At the time of discharge the team will ensure that an appropriate community care package has been identified and put in place, including

any equipment if required. The team will also work with carers and family members to ensure that the necessary range of wider supports have been provided to enable the discharge to take place effectively and safely.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether he has plans to introduce pharmacist foot check services for people with diabetes.

**(AQW 50131/11-16)**

**Mr Hamilton:** Diabetes continues to be one of the most challenging long term conditions, affecting more than 85,000 people across Northern Ireland. Complications of diabetes include impaired peripheral circulation and nerve damage which can result in foot ulcers and in some cases, lower limb amputations.

Foot care for people with diabetes is a very important part of their overall care and people living with diabetes currently have access to podiatry services coordinated through their diabetes care teams. Integrated Care Partnerships in Northern Ireland are developing care pathways to support an integrated multi-

disciplinary team based approach to detecting and managing foot problems effectively in people with diabetes.

There are currently no specific plans to introduce foot checks for people with diabetes in pharmacies.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail what action his Department has taken to reduce the stigma around mental ill-health issues.

**(AQW 50134/11-16)**

**Mr Hamilton:** Previous Public Health Agency (PHA) annual public information campaigns have aimed to de-stigmatise mental illness and raise awareness of the early warning signs and symptoms. The PHA and Northern Ireland Association of Mental Health are also working in partnership to deliver a future wide ranging three year mental health anti-stigma campaign titled Change Your Mind.

Further action to reduce stigma associated with mental illness, and encourage help-seeking behaviour includes: local seminars and educational workshops; mental health awareness training; the hosting of websites providing advice and information; and work with the media to encourage more positive reporting on the issue.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to detail when the review of Multiple Sclerosis Neurological Services will be completed.

**(AQW 50162/11-16)**

**Mr Hamilton:** This review will be completed by early 2016.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety how many serious adverse incidents have been recorded in each hospital in (i) each of the last of the last twelve months; and (ii) each of the last five years.

**(AQW 50185/11-16)**

**Mr Hamilton:** The Health and Social Care Board/Public Health Agency do not collect information on Serious Adverse Incidents (SAIs) on an individual hospital basis.

The number of SAIs, broken down by Health and Social Care Trust, in each of the last twelve months, and the last five years is outlined in the tables below.

Year and Month	BHSCT	NHSCT	SEHSCT	SHSCT	WHSCT	Total
2014 October	15	20	13	14	8	70
November	12	9	12	15	11	59
December	16	9	10	15	7	57
2015 January	11	12	5	20	9	57
February	15	8	13	6	7	49
March	14	9	6	15	4	48
April	8	6	10	12	3	39
May	12	8	17	19	12	68
June	20	8	7	13	5	53
July	26	14	13	12	9	74
August	11	7	7	10	7	42
September	11	9	12	10	5	47
<b>Totals:</b>	<b>171</b>	<b>119</b>	<b>125</b>	<b>161</b>	<b>87</b>	<b>663</b>



By Calendar Year	BHSCT	NHSCT	SEHSCT	SHSCT	WHSCT	Total
2010	47	58	35	43	29	212
2011	79	49	37	48	28	241
2012	77	63	47	41	36	264
2013	84	129	57	57	53	380
2014	181	188	112	144	102	727
<b>Totals:</b>	<b>468</b>	<b>487</b>	<b>288</b>	<b>333</b>	<b>248</b>	<b>1824</b>

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail (i) how many newly qualified graduates in medicine from Queen's University Belfast have opted to work outside the United Kingdom; and (ii) the top three destinations newly qualified graduates in medicine choose to work.

**(AQW 50186/11-16)**

**Mr Hamilton:**

- (i) None of last year's graduates in medicine (Bachelor of Medicine) full time first degree leavers (2013–14) left to work outside the United Kingdom,
- (ii) The top three destinations in 2013–14 were
  - Northern Ireland,
  - England, and
  - Scotland.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail how much it costs to train a doctor.

**(AQW 50187/11-16)**

**Mr Hamilton:** The nature and cost of a doctor's training varies according to the specialty they are undertaking. It is therefore not possible to quantify how much it costs to train individual doctors.

## Department of Justice

**Mr Easton** asked the Minister of Justice why legal aid is not available for coroner's cases.

**(AQW 49951/11-16)**

**Mr Ford (The Minister of Justice):** Legal aid funding by way of 'advice and assistance' is available for cases in the Coroners' Courts, subject to prescribed tests.

Ordinary legal aid funding for representation is available, subject to the relevant prescribed tests, only for those proceedings listed in paragraph 2 of Schedule 2 to the Access to Justice (Northern Ireland) Order 2003. Proceedings before the Coroners' Court are not listed in Schedule 2 and as such ordinary funding for representation is not available for these proceedings.

Depending on the circumstances of the individual case, exceptional legal aid funding may be available if the Director of Legal Aid Casework, in the Legal Services Agency, is satisfied that it meets the statutory tests. Exceptional funding has previously been used to provide representation in certain inquests cases.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 49254/11-16, to place in the Assembly Library copies of the reports of visits by Criminal Justice Inspection NI to Approved Premises in each of the last two calendar years.

**(AQW 49959/11-16)**

**Mr Ford:** Criminal Justice Inspection Northern Ireland (CJINI) published a report on Approved Premises in Northern Ireland in November 2013. This document may be viewed on the CJINI website at the following address:

<http://www.cjini.org/TheInspections/Inspection-Reports/2013/October---December.aspx>

CJINI has also conducted an annual unannounced inspection on each of the Approved Premises in the last two years. These reports are not formally published but copies are provided to the relevant management committee of the Approved Premises and partner organisations. CJINI would be willing to meet to discuss the findings of any of these reports.

**Lord Morrow** asked the Minister of Justice how many defibrillators are installed in each prison facility, including Hydebank College and the Juvenile Justice Unit; and how many (i) prison staff; and (ii) medical staff are trained in their use.

**(AQW 49991/11-16)**

**Mr Ford:** The table below shows the number of defibrillators installed in each prison facility and Woodlands JJC, and the number of staff trained in their use.

Facility	No. of defibrillators	No. of prison staff trained
Maghaberry	29*	650
Magilligan	12	257
Hydebank College	10	93
Woodlands JJC	9	86**

\* Figures include Prison Escort Court Custody Service (PECCS) base.

\*\* All YJA directly employed care and medical staff within Woodlands JJC receive basic First Aid training which includes the use of defibrillators

Physical healthcare in the JJC is undertaken by directly employed YJA nurses. SET mental health nursing staff are not included as they do not undertake any physical healthcare.

Part two of the question should be referred to the Minister for Health, Social Services and Public Safety as the South Eastern Health and Social Care Trust has responsibility for medical care in prison establishments.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 49254/11-16, how many times the Criminal Justice Inspection NI have carried out (i) announced; and (ii) unannounced inspections of Edward Street Hostel, Portadown in each of the last two calendar years; and to list the general findings from each visit.

**(AQW 49992/11-16)**

**Mr Ford:** Criminal Justice Inspection Northern Ireland has conducted two visits to Edward Street Hostel, Portadown in the past two years. Both of these visits were unannounced. The general findings from both visits were positive in terms of public protection.

Inspectors did express some concerns regarding the condition of accommodation at Edward Street Hostel and support the decision to refurbish the premises in the interest of public protection.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 49467/11-16, whether consideration will be given to the collation of information on breaches.

**(AQW 49995/11-16)**

**Mr Ford:** Approved Hostels report all breaches to Probation Board for Northern Ireland staff, and, where relevant, to Police Service of Northern Ireland. Any such information is recorded on the individual record of the relevant offender.

As outlined previously, there is no operational requirement for information on breaches to be collated centrally and to do so would not be cost effective.

**Mr Anderson** asked the Minister of Justice what action his Department is taking to tackle pension fraud.

**(AQW 50065/11-16)**

**Mr Ford:** The safety of older people is an important issue for my Department, and this is emphasised by the inclusion of measures to address crime and fear of crime within the Executive's Programme for Government and my Department's Community Safety Strategy, "Building Safer, Shared and Confident Communities".

My Department has been working with Age Sector Platform over recent years to tackle a range of issues affecting the safety of older people and their fear of crime. This culminated in the development of a "Feel Safe" guide, which includes information on how to avoid telephone and mail scams, internet fraud and identity theft. I understand that local PSNI officers have been distributing this booklet to older people who have been victims of crime.

Over the coming months, Age Sector Platform will be holding workshops on a regional basis to promote the messages in this guide. These workshops will include a range of advice on how they can avoid becoming victims of crime, and representation from key providers of advice such as the Trading Standards Service.

At a local level, PCSPs are taking forward a range of initiatives that aim to tackle financial crime against older people. I understand that, for example, Derry City and Strabane PCSP alongside other partners has developed a film resource pack to help raise awareness of scams and financial abuse among older people.

**Lord Morrow** asked the Minister of Justice whether E-Crime forensic examinations into offences in Northern Ireland are conducted at Forensics Service NI or by an external agency.

**(AQW 50092/11-16)**

**Mr Ford:** The majority of digital and E-crime-related forensic examinations are conducted by the PSNI's Cybercrime Unit. Forensic Science Northern Ireland carry out a number of examinations of electronic devices, especially where the joint recovery of multiple evidence types (such as DNA, Fingerprints and Data) is required.

**Ms Sugden** asked the Minister of Justice what initiatives are currently in place within his Department to address the fear of crime among older people and to increase confidence and peace of mind regarding their safety.  
(AQW 50117/11-16)

**Mr Ford:** The safety of older people is an important issue for my Department, and this is emphasised by the inclusion of measures to address fear of crime within the Executive's Programme for Government and my Department's Community Safety Strategy, "Building Safer, Shared and Confident Communities".

The multi-agency Older Persons Delivery Group chaired by my Department has developed an action plan which contains a range of measures being taken forward by the relevant organisations to tackle fear of crime among older people.

My Department has been working with Age Sector Platform, also a member of the Delivery Group, over recent years to tackle a range of issues affecting the safety of older people and their fear of crime. In particular, they have been working with their members to research why older people are fearful of becoming a victim of crime. This culminated in the development of a "Feel Safe" guide, which includes crime prevention advice and information on organisations that can help older people to feel safer. I understand that local PSNI officers have been distributing this booklet to older people who have been victims of crime.

Over the coming months, Age Sector Platform will be holding workshops on a regional basis to promote the messages in this guide and to address the concerns that older people have around crime. These workshops will include a range of advice on how they can avoid becoming victims of crime and representation from key providers of advice.

In addition, a range of initiatives are run at a local level by Policing and Community Safety Partnerships, such as the film resource pack developed by Derry City and Strabane PCSP.

**Lord Morrow** asked the Minister of Justice what reductions have been made in legal aid fees for judicial reviews; and whether these reductions are commensurate with those in criminal legal aid.  
(AQW 50178/11-16)

**Mr Ford:** I have not made any reductions to the fees paid for Judicial Review which are supported by legal aid. My Department is currently taking forward work to review remuneration for all types of work supported by Civil Legal Aid. The focus is currently on Family Cases, following which attention will turn to remaining issues, including Judicial Reviews.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 49690/11-16 and AQW 48486/11-16, to outline the reasons for the drop in the number of committal warrants executed in respect of Dungannon Court Office.  
(AQW 50180/11-16)

**Mr Ford:** The number of fines issued and warrants executed in a particular period will fluctuate depending upon a number of variables within fine default proceedings and competing PSNI priorities. For example, variables could include the currency of information relative to a defaulter's home address, the volume of cases to be listed, judicial direction in an individual case and variations in operational demands for police at any given time regarding execution.

**Lord Morrow** asked the Minister of Justice what was the average expenditure in legal aid on a judicial review, including the leave to apply stage, in (i) 2013-14; and (ii) 2014-15.  
(AQW 50181/11-16)

**Mr Ford:** In 2013/14 the overall average costs for Judicial review payments was £10,515. In 2014/15 the overall average cost for Judicial review payments was £10,179.

These costs include expenditure for the 'leave to apply stage'. This element cannot be identified separately.

**Mr Weir** asked the Minister of Justice, pursuant to AQW 49737/11-16, what were the costs for (i) 2010-11; and (ii) 2011-12.  
(AQW 50218/11-16)

**Mr Ford:** As outlined in my answer to AQW/49737/11-16 the costs of the removal of remains to the forensic mortuary for the years 2010-11 and 2011-12 cannot readily be identified from the total cost of moving remains both to and from the forensic mortuary. Costs were not analysed in this way at that time, consequently, the information requested could only be obtained at disproportionate cost.

## Department for Regional Development

**Mr Agnew** asked the Minister for Regional Development what work he is undertaking with councils to ensure that the cycling provision introduced in Belfast will be replicated in other areas.

**(AQW 48311/11-16)**

**Mr Kennedy (The Minister for Regional Development):** ‘Northern Ireland Changing Gear – A Bicycle Strategy for Northern Ireland’ was published in August 2015. Following on from this a Bicycle Strategy Delivery Plan and a draft Belfast Bicycle Network Plan will be published in autumn this year.

Following public consultation on the Belfast Bicycle Network Plan and the finalisation of the Plan, Bicycle Network Plans for other urban areas will be rolled out as part of the Bicycle Strategy.

In addition, my Department’s Cycling Unit is preparing a Greenways Strategic Plan for the whole of Northern Ireland.

**Mr Dickson** asked the Minister for Regional Development when the current authorisation for grants to be paid to water and sewerage undertakers expires should clause one of the Water and Sewerage Services Bill (NIA 51/11-16) not pass.

**(AQW 48973/11-16)**

**Mr Kennedy:** My Department pays a subsidy to Northern Ireland Water in lieu of domestic charging for water and sewerage services under Article 213 of the Water and Sewerage Services (Northern Ireland) Order 2006, as extended by the Water and Sewerage Services (Amendment) Act (Northern Ireland) 2010 and again, by the Water and Sewerages Services (Amendment) Act (Northern Ireland) 2013. Should the Water and Sewerage Services Bill not pass, my Department’s legislative authority to pay this subsidy will expire on 31 March 2016.

**Mr Agnew** asked the Minister for Regional Development to detail (i) the Department’s target deadline for resolving appeals to on street penalty charge notices (PCNs); (ii) the current number of on street PCNs which have been issued in each of the last twelve months; and (iii) the number of unresolved appeals to PCNs, broken down by the week the original appeal was made.

**(AQW 48988/11-16)**

**Mr Kennedy:** Department’s target deadline for resolving appeals to on street Penalty Charge Notices (PCNs) is 15 working days.

The table below details the number of on street PCNs which have been issued in each of the last twelve months:

Year	Month	Number of On-Street PCNs issued
2014	September	5626
	October	6935
	November	6808
	December	6147
2015	January	5616
	February	6236
	March	6422
	April	6412
	May	6804
	June	11970
	July	13904
	August	14781

There has been a significant increase in the number of PCNs issued from June 2015. This is a direct result of the introduction of bus lane camera enforcement which commenced on the 1st June 2015 and included an initial three week warning period.

The increase in the number of PCNs issued has resulted in an increase in the number of challenges received in Parking Enforcement Processing Unit (PEPU), approximately 4000.

To deal with the increased number of challenges, PEPU has appointed five new temporary staff members.

The number of unresolved appeals to PCNs, broken down by the week the original appeal was made, is best represented in the table below, detailing the age of outstanding challenges in terms of number of weeks old:

Weeks old	Number of Challenges
4-5	948



Weeks old	Number of Challenges
3-4	629
2-3	630
1-2	900
0-1	752
<b>Total</b>	<b>3859</b>

**Mr Agnew** asked the Minister for Regional Development to detail the waiting times for blue badges in each Health and Social Care Trust area.

**(AQW 48989/11-16)**

**Mr Kennedy:** My Department's Blue Badge Unit does not maintain records in accordance with Health and Social Care Trust areas.

Currently, applications made under the automatic eligibility criteria, are processed on target within 21 days.

However, the Blue Badge Unit is experiencing a backlog of applications made under the assessed eligibility criteria from across Northern Ireland and some applicants have been waiting for up to four months for a response to their application. New members of staff have recently been appointed to deal with the additional workload this has created and it is anticipated that this backlog will soon start to reduce.

**Mr Allister** asked the Minister for Regional Development what steps are being taken to facilitate vehicles bringing increased visitor numbers to the Dark Hedges in North Antrim, while at the same time protecting free passage for local residents and road users.

**(AQW 49276/11-16)**

**Miss M McIlveen (The Minister for Regional Development):** My officials are due to meet with Causeway Coast and Glens Borough Council in early November to discuss traffic management issues and other related matters regarding the Dark Hedges.

Following meetings with the Northern Ireland Tourist Board, Ballymoney & Moyle Councils and Causeway Coast & Glens Heritage Trust in January 2015, my Department agreed to tourist signing proposals for the Dark Hedges and The Hedges Hotel, which is adjacent to the site. These signs have now been erected and are providing better directional information for drivers to this increasingly popular tourist destination.

**Mr Allister** asked the Minister for Regional Development what investment proposal she has settled on in respect of Rathlin harbour, to facilitate the new car ferry service.

**(AQW 49277/11-16)**

**Miss M McIlveen:** My Department expects delivery of a new improved ferry by late August 2016 to be available for service shortly afterwards. Harbour improvement works are required in Church Bay, Rathlin to facilitate berthing arrangements for the new ferry and to maintain a high quality service for residents and visitors.

The proposals comprise a new ferry ramp, berthing pier, car park area and associated bollards. It also includes a fendering system, lighting and road re-alignment at Rathlin Island Harbour. The planning application for the proposal was lodged in June 2015 and is currently being assessed by Causeway Coast and Glens Borough Council.

In line with our ongoing support of work on Rathlin, my Department and the Department of Agriculture and Rural Development, have agreed to jointly fund the harbour improvements works at an approximate cost of £1million subject to budget being available at that time.

**Mr Dickson** asked the Minister for Regional Development, should clause one of the Water and Sewerage Services Bill not be passed, on what date the current authorisation expires for grants to water and sewerage undertakers to be paid.

**(AQW 49279/11-16)**

**Miss M McIlveen:** I would refer the Member to his previous question, AQW 48973/11-16.

**Mr Campbell** asked the Minister for Regional Development when the dualling of the A26 will be completed.

**(AQW 49281/11-16)**

**Miss M McIlveen:** The A26 Dualling scheme commenced in January 2015, and to date its construction has been progressing well. The work is currently on programme and is expected to be completed by summer 2017.

**Mr Dickson** asked the Minister for Regional Development to list the policy decisions that have been awaiting ministerial sign-off since 10 September 2015.

**(AQW 49282/11-16)**

**Miss M McIlveen:** There are no significant policy decisions which are awaiting ministerial sign-off.

**Mrs Cochrane** asked the Minister for Regional Development what consideration she has given to the delivery of Belfast Rapid Transit works in east Belfast; and whether commensurate resources are in place, and secure, to ensure the Belfast Rapid Transit will be operational by the delayed completion date of August 2018.

**(AQW 49289/11-16)**

**Miss M McIlveen:** The implementation of my Department's proposals for Belfast Rapid Transit (BRT) is continuing despite the necessary revision to the completion date. In East Belfast the works on the section of the BRT route on the Upper Newtownards Road between Sandown Road and Knock Road were completed in March 2015 and the new bus lanes were introduced in August 2015. Work commenced on the section of the BRT route on the Upper Newtownards Road between Albertbridge Road and Sandown Road in June 2015 and is scheduled to be completed in March 2016. The next section of the BRT route to be implemented will be on the Albertbridge Road between Castlereagh Street and Newtownards Road. Work is due to start on this section in spring 2016.

My Department's budget for 2015/16 includes an allocation for BRT which will enable the programmed works to be carried out. The Department will require significant additional funding in subsequent budget periods. BRT is a high priority project and I will prioritise the capital funding for BRT within its capital allocations to ensure that the project will be completed in August 2018 to enable operation at the beginning of September 2018.

BRT has the potential to be a transformational project for the city of Belfast and I am satisfied that it will be operational in 2018.

**Mr Rogers** asked the Minister for Regional Development whether a strategy has been put in place to upgrade the A1 dual carriageway to motorway status.

**(AQW 49292/11-16)**

**Miss M McIlveen:** My Department has no proposals to upgrade the A1 dual-carriageway to motorway status. However, the A1 Junctions Phase 2 proposal, which will provide a significant upgrade along the route, is currently under development.

This proposal will involve closing up openings in the central median and installing a continuous central safety barrier between the Hillsborough Roundabout and Loughbrickland. It includes the construction of four flyover-type junctions and the closing of some minor road junctions along this stretch of the route. In addition, the provision of a northbound on-slip at Castlewellan Road, Banbridge and a link between the existing underpass junction at Hillsborough Road, Dromore and Milebush Road will also improve access at these junctions.

Delivery of this scheme remains subject to it clearing the statutory procedures, having a satisfactory economic appraisal and is dependent on future funding levels.

**Mr Hilditch** asked the Minister for Regional Development why no one to one consultations are available to appeal parking fines, as is the case in England, Wales and Scotland.

**(AQW 49543/11-16)**

**Miss M McIlveen:** Penalty Charge Notices (PCNs) are issued under the Traffic Management (Northern Ireland) Order 2005 for a parking contravention. The legislation sets out a statutory process for making formal representations and appealing to the independent Traffic Penalty Tribunal.

Under this legislation the recipient of a PCN has a period of 28 days in which to pay or write to my Department querying the issue of the PCN. If there is no contact within this period, a document called a Notice to Owner is issued to the registered keeper of the vehicle. The registered keeper can then make written representations. If these are accepted, the PCN will be cancelled. If the representations are not accepted, the registered keeper will be notified of the decision and will receive a form to appeal the decision to the independent Traffic Penalty Tribunal.

An appellant can then choose to have the appeal dealt with by an Independent Adjudicator in person or by phone if they wish.

**Mr Middleton** asked the Minister for Regional Development whether she will make provision for the repair of road defects and the cutting of grass verges.

**(AQW 49546/11-16)**

**Miss M McIlveen:** Due to the current budgetary pressures facing my Department's resource budget TransportNI is only able to implement a skeleton service for a range of road maintenance activities including road defect repairs and cutting of grass verges.

My Department has been unable to employ external contractors since the end of March and although my internal workforce is endeavouring to carry out as much work as possible it does not have sufficient resources to meet the normal maintenance standards which my Department would expect to provide.

TransportNI will continue to inspect all roads and footways to ensure that safety related issues are recorded and prioritised for repair in line with set maintenance standards. TransportNI will also all grass at least once in all areas by the end of October but will cut grass on sightlines at junctions and bends more frequently as required for safety reasons.

My Department will continue to actively pursue additional funding through monitoring rounds to allow it to deliver the full range of maintenance activities.

**Mr Agnew** asked the Minister for Regional Development how much her Department has spent on cycling in each of the last five years; and what this represents as per capita spend.

**(AQW 49799/11-16)**

**Miss M McIlveen:** The information set out below provides information about a number of areas of my Department's work. It includes capital projects with a high cycling impact (including the active travel demonstration projects) and the resource expenditure of the Department's Cycling Unit and its predecessor (including the Active School Travel Programme).

	Population million	Cycling Spend £million	Spend per head of population
2010/11	1.8	0.43	£0.24
2011/12	1.8	1.25	£0.69
2012/13	1.8	0.98	£0.54
2013/14	1.8	0.98	£0.54
2014/15	1.8	7.51	£4.17

The attribution of spend to cycling specifically is not a precise exercise as many projects have benefits for cycling even if not carried out specifically for that purpose. Equally, there are cycling-related projects which have benefits for walking and other active travel modes in addition to the cycling benefit. In addition to expenditure by my Department, other Departments have invested in cycling measures or projects that have cycling benefit (e.g. Department for Social Development investment in the new Lagan Weir bridge in Belfast).

**Mr Easton** asked the Minister for Regional Development how many street lights were in need of repair on 2 September 2015.

**(AQW 49811/11-16)**

**Miss M McIlveen:** My Department estimates that there were in the region of 12,000 street lights in need of repair on 2 September 2015.

**Mr Hilditch** asked the Minister for Regional Development whether she has any plans to install a pedestrian crossing at the children's play park in Scotch Quarter, Carrickfergus.

**(AQW 49839/11-16)**

**Miss M McIlveen:** My Department is aware of recent requests for a pedestrian crossing at the children's play park in Scotch Quarter, Carrickfergus. I have therefore asked officials to undertake surveys at this location to ascertain whether the pedestrian and traffic volumes are sufficient to justify the provision of a formal pedestrian crossing.

**Mr Frew** asked the Minister for Regional Development whether she plans an investigation into the bonus schemes paid to Transport NI staff to ascertain whether they are fit for purpose.

**(AQW 49852/11-16)**

**Miss M McIlveen:** The current review of Northern Ireland Civil Service (NICS) Industrial Pay and Grading will consider all elements of pay, including incentive schemes. The proposals arising from the review will be subject to negotiation between NICS management and Trades Unions. It would not be appropriate to comment further on this issue at this stage.

**Lord Morrow** asked the Minister for Regional Development how many motorcyclists have been detected by bus lane cameras in prohibited instances.

**(AQW 49858/11-16)**

**Miss M McIlveen:** There is specific legislation in place for each bus lane which determines when the bus lane is in operation and which vehicles can use it. In general terms the bus lanes can be used by:

- buses which can carry more than eight passengers (exclusive of the driver);
- Belfast public hire taxis and taxi buses;
- emergency vehicles;
- motorcycles; and
- bicycles.

Therefore no Penalty Charge Notices have been issued to motorcycles travelling in bus lanes.

**Ms Sugden** asked the Minister for Regional Development for her assessment of the impact on drivers who are blue badge holders of the enforced ban on vehicle use of bus lanes.

**(AQW 50035/11-16)**

**Miss M McIlveen:** The recent introduction of camera enforcement of moving traffic offences in bus lanes was not accompanied by any change in access arrangements, therefore it did not have any impact on Blue Badge holders.

The purpose of the Blue Badge scheme is to allow people with severe mobility problems to park close to where they need to go. It provides generous parking concessions for Badge holders which are not available to the majority of other drivers. The scheme does not however extend to allowing Badge holders to either park or drive in operational bus lanes.

Bus lanes are mainly provided for more sustainable forms of transport such as buses and bicycles. Motorcycles are permitted access for safety reasons and because they use less road space thereby reducing congestion. Certain taxis are permitted access as they operate in a similar fashion to public transport picking up fares on-street, and because they can also accommodate wheelchairs. Both buses and permitted taxis therefore accommodate people with disabilities. The signs adjacent to the individual length of bus lane will indicate what vehicles are permitted to use the facility during its time of operation.

A full Equality Impact Assessment was carried out for the Belfast Metropolitan Transport Plan and this concluded that the public transport proposals contained in the Plan, including the provision of bus lanes, would provide benefits across all equality categories identified in Section 75 of the Northern Ireland Act 1998.

**Ms Sugden** asked the Minister for Regional Development for her assessment of the impact on older people and people with disabilities who use non-black taxis, who depend on restricted areas to enter or alight vehicles of the enforced ban on vehicle use of bus lanes.

**(AQW 50037/11-16)**

**Miss M McIlveen:** The recent introduction of camera enforcement of moving traffic offences in bus lanes was not accompanied by any change in access arrangements, so should not have had any direct impact on people with disabilities who use non-black taxis.

Bus lanes are mainly provided for more sustainable forms of transport such as buses and bicycles. Motorcycles are permitted access for safety reasons and because they use less road space, thereby reducing congestion. Certain taxis are permitted access as they operate in a similar fashion to public transport, that is, picking up fares on-street, and because they can also accommodate wheelchairs. The signs adjacent to the individual length of bus lane will indicate what vehicles are permitted to use the facility during its time of operation.

Whilst 'non-black' taxis, like the majority of other vehicles, are not permitted to enter, proceed or wait in an operational bus lane, there are opportunities for them to set down passengers on most of the routes in question, particularly given the fragmented nature of our network of bus lanes. Taxis can stop on yellow lines while passengers board or alight as long no other restriction is in force, such as an urban clearway. Non-permitted vehicles can also cross a bus lane to gain access to premises or to a lay-bay or parking area which is only accessible from that bus lane. Furthermore, the nature of our road network means that side streets and other viable alternatives are never that far away.

Whilst I can appreciate the inconvenience caused in terms of picking up and setting down passengers, I understand that it is not an issue that my Department has been strongly lobbied on in the past number of years.

In terms of the overall impact of bus lanes, a full Equality Impact Assessment was carried out for the Belfast Metropolitan Transport Plan and this concluded that the public transport proposals contained in the Plan, including the provision of bus lanes, would provide benefits across all equality categories identified in Section 75 of the Northern Ireland Act 1998.

**Mr Swann** asked the Minister for Regional Development how many of her departmental staff have a registered disability, broken down by (i) full time equivalent; and (ii) as a percentage of the workforce.

**(AQW 50135/11-16)**

**Miss M McIlveen:** As at 28 October 2015, 79.9 full time equivalent staff in my Department had declared a disability. This represents 4.0% of my Department's workforce.

**Ms McCorley** asked the Minister for Regional Development for a breakdown of any investment, including capital, her Department has made in West Belfast since May 2011.

**(AQW 50140/11-16)**

**Miss M McIlveen:** My Department does not hold investment financial data for constituency areas so I am unable to detail all the investment made by my Department in West Belfast. Despite this a number of capital projects are separately identifiable for West Belfast and these are outlined below by each business area in my Department:



### Transport NI

Total expenditure incurred within Belfast City Council by TransportNI in the financial years 2011/12 to 2014/15 has been £99m and an estimate of expenditure incurred for the six months to September 2015 is £6m.

The report as issued to Belfast City Council in Spring 2015 which detailed works undertaken during the year 2014/2015 and initial proposals for schemes to be undertaken in the year 2015/2016 can be accessed electronically via the following link - <https://www.drndi.gov.uk/publications/annual-report-belfast-city-council-2015>

Previous reports to Council can also be accessed via the Departments website.

Transport NI has also invested or made available funding to other bodies to advance works which would have impacted on West Belfast. These include planning and developing the Belfast Rapid Transit system including West Way, e-car charge points at Kennedy Way and Blacks Road, Belfast Bikes docking station at Millfield and Audio Visual equipment on 96 Metro buses which service the West Belfast area.

### Translink

Translink has specifically invested £145k in capital projects in West Belfast in the Falls road Depot

Metro buses have been purchased over these financial years, a number of which have been deployed in West Belfast.

### NI Water

From May 2011 to September 2015, the major Capital Investment by NI Water in the West Belfast area has been approximately £12.3m. This capital investment delivered improvements in water main and sewerage infrastructure, as well as improvements in above ground assets such as pumping stations, wastewater treatment works and reservoirs.

### Other investment

In addition to the above projects my Department is responsible for the provision of day to day services to the benefit of all citizens. These include routine maintenance and winter service operations by Transport NI, the provision of public transport services by Translink and the provision of clean, safe drinking water and the provision of sewerage to the appropriate standard in support of a cleaner safer environment in West Belfast and throughout Northern Ireland by NI Water.

**Mr Beggs** asked the Minister for Regional Development how much of her remaining departmental budget has been earmarked for street lighting repairs (i) carried out by internal staff; and (ii) utilising outside contractors; and how this budget compares with the budget that was allocated to maintain street lighting during each of the last three years.

**(AQW 50150/11-16)**

**Miss M McIlveen:** The amount of my Department's budget which is earmarked for street lighting repairs, split by internal staff and outside contractors, is detailed below:

Street Lighting Repairs Budget	2015-16 £'000s
(i) carried out by internal staff	1,795
(ii) utilising outside contractors	800
<b>Total</b>	<b>2,595</b>

This compares to the budget to maintain street lighting in each of the three previous years as shown in the table below:

Street Lighting Repairs Budget	2012-13 £'000s	2013-14 £'000s	2014-15 £'000s
(i) carried out by internal staff	2,066	2,056	1,999
(ii) utilising outside contractors	4,794	2,779	3,316
<b>Total</b>	<b>6,860</b>	<b>4,835</b>	<b>5,315</b>

## Department for Social Development

**Mr McNarry** asked the Minister for Social Development to detail the number of non UK nationals in receipt of benefits.  
**(AQW 48484/11-16)**

**Mr Storey (The Minister for Social Development):** The number of non UK nationals in receipt of benefits at July 2015 is 14720.

(Figures have been rounded to the nearest 10.)

**Mr McNarry** asked the Minister for Social Development to detail (i) the number of non EU nationals that are in receipt of benefits; and (ii) the detail the amount paid in each case, broken down by council area.

**(AQW 48485/11-16)**

**Mr Storey:**

- (i) The number of non EU nationals in Northern Ireland that are in receipt of benefits at May 2015 is 2000.
- (ii) Number of non EU nationals in Northern Ireland in receipt of benefit detailing amount paid by Council Area

Local Government District	Credits Only	Under £50	£50 to under £100	£100 to Under £150	£150 and over
Antrim and Newtownabbey Borough Council	0	20	30	20	30
Armagh City, Banbridge and Craigavon Borough Council	10	10	50	30	50
Belfast City Council	20	80	200	220	350
Causeway Coast and Glens District Council	10	10	30	20	30
Derry and Strabane District Council	0	20	40	20	50
Fermanagh and Omagh District Council	0	10	20	10	30
Lisburn and Castlereagh City Council	10	10	50	40	40
Mid Ulster District Council	10	10	30	20	20
Mid and East Antrim Borough Council	0	0	30	20	30
Newry, Mourne and Down District Council	10	10	40	30	50
Ards and North Down Borough Council	10	20	50	50	30

Total = 2000.

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 McGlone** asked the Minister for Social Development to detail how much has been spent on replacing heating systems in each financial year since April 2011, broken down by each of the five contract areas.

**(AQW 50008/11-16)**

**Mr Storey:** The NIHE have provided the following table which details the full spend since April 2011 on heating installations. Please note that the current 2015/16 financial year shows the 6 month period to 30th Sept 2015.

**Heating Installation by Contract Area 2011 - Present**

Contract Area	Year					Total
	2011/12	2012/13	2013/14	2014/15	2015/16	
Belfast	5,890,473.94	3,617,668.19	8,124,504.86	11,042,757.15	5,065,546.41	33,740,950.55
South East	8,104,138.47	4,667,445.84	3,559,314.63	4,067,962.90	2,037,047.70	22,435,909.54
South	4,499,455.48	3,710,949.60	6,218,516.84	8,279,515.36	3,652,521.32	26,360,958.60
North East	6,826,935.72	3,288,872.53	2,639,099.27	4,410,330.50	2,502,015.65	19,667,253.67
West	6,161,682.08	3,375,474.24	3,803,525.13	3,301,926.91	1,636,900.67	18,279,509.03
<b>Total</b>	<b>31,482,685.69</b>	<b>18,660,410.40</b>	<b>24,344,960.73</b>	<b>31,102,492.82</b>	<b>14,894,031.75</b>	<b>120,484,581.39</b>

**Ms Sugden** asked the Minister for Social Development for his assessment of (i) homelessness in the last five years; and (ii) the capacity of the current housing stock to address this issue.

**(AQW 50039/11-16)**

**Mr Storey:** With regard to point (i) the changes in homelessness over the last 5 years have shown the following:

- From 2010-15 there was a decrease in the number of people presenting as homeless by around 3% reducing from 20,158 to 19,621 with the trend in households accepted as statutorily homeless remaining stable over the 5 year period at around 50% of applicants;

- Single households are consistently the highest household group of homeless presenters, representing a trend of about 50% of all households, with families at around 31% being the second largest household category.
- The trend in the same period for the top 3 reasons for households presenting as homeless remain as sharing breakdown/family dispute, accommodation not reasonable, and loss of rented accommodation.

With regard to point (ii) the social housing sector capacity has been significantly developed to address housing need has through the use of existing stock and new build. Other housing solutions, including the private rented sector, have also been utilised to address housing need.

The Housing Executive and Housing Associations allocate around 11,000 properties each year. The majority of these are allocated to homeless households, with 68% of all allocations in the last financial year being to those owed a full housing duty under homelessness legislation.

A total of 7,598 new or additional social housing homes have been provided over this period, averaging 1,520 completions per year.

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 Agnew** asked the Minister for Social Development what consideration has been given to publishing a register of landlords as part of the Houses of Multiple Occupancy Bill.

**(AQW 50043/11-16)**

**Mr Storey:** Under the Houses in Multiple Occupation (HMO) Registration Scheme a list of registered properties is currently available from the Northern Ireland Housing Executive HMO offices on request.

Clause 62 of the Houses in Multiple Occupancy Bill requires each council to keep a similar HMO register which will be publicly available. The Department will publish guidance to assist councils with the new requirements.

**Mrs Dobson** asked the Minister for Social Development how many (i) remand; and (ii) sentenced prisoners, in each prison facility, are in receipt of (a) Disability Living Allowance; and (b) Employment and Support Allowance; and (iii) to detail the procedures undertaken in relation to prisoners who are in receipt of a Social Security Benefit immediately prior to detention.

**(AQW 50060/11-16)**

**Mr Storey:** Persons held in custody who are in receipt of (a) Disability Living Allowance and (b) Employment and Support Allowance are subject to a suspension of benefit following detention. However, some Income Related Employment and Support Allowance claimants may still be entitled to retain help with housing costs whilst on remand however that entitlement ends if the claimant is subsequently convicted. Information is not available on the number of people in this group as it is recorded on an individual customer's record and the IT system that is used to administer ESA does not hold data on the total number of people in this category.

The Social Security Agency and Northern Ireland Prison Service have a notification process in place to ensure that social security benefits, where applicable, are not inappropriately paid to those held in custody.

**Lord Morrow** asked the Minister for Social Development, in relation to reconsideration representations on disputed Employment and Support Allowance decisions, to detail a timeframe for (i) an acknowledgement of representation correspondence; (ii) a response to representations; and (iii) decisions following the submission of medical evidence of significant risk to mental or physical health.

**(AQW 50074/11-16)**

**Mr Storey:** The Social Security Agency has no specific timeframe for (i) an acknowledgement of representation correspondence; (ii) a response to representations; and (iii) decisions following the submission of medical evidence of significant risk to mental or physical health, in relation to reconsideration representations on disputed Employment and Support Allowance decisions.

Employment and Support Allowance aims to complete a reconsideration of a disputed decision within 30 working days of receipt, on average, and issue an appeals submission to the claimant and the Appeals Service within 40 working days of receipt, on average.

**Lord Morrow** asked the Minister for Social Development under what circumstances Employment and Support Allowance decision makers can over rule written GP evidence confirming significant risk to an applicants physical and emotional health in relation to special circumstances.

**(AQW 50075/11-16)**

**Mr Storey:** All Employment and Support Allowance claimants are subject to the Work Capability Assessment process that determines their entitlement to benefit by assessing their capability for work and carrying out everyday tasks. The assessment process includes consideration of whether or not exceptional circumstances apply because of a serious or significant risk to the claimant's health and welfare due to their physical and/or mental health-related illness.

Under current legislation, the decision on a claimant's capability for work and whether or not exceptional circumstances should apply is made by an Employment and Support Allowance Decision Maker, who has received specialist training for this role, and who has access to detailed supporting advice and guidance for decision-making.

In making any decision, the Decision Maker will consider all of the available medical evidence, including the report of the work capability assessment, information provided by the claimant, and any other medical evidence from a GP or other healthcare professional.

All Social Security decisions can be reconsidered on request by another Decision Maker and/or can be appealed to the Appeal Tribunal.

**Mr Allister** asked the Minister for Social Development whether any financial termination packages have been paid, or will be paid, to any Special Advisers in consequence of ministerial resignations in his Department since September 2015.  
(AQW 50078/11-16)

**Mr Storey:** The Special Adviser for the Department for Social Development has been paid a financial termination package in consequence of a ministerial resignation since September 2015.

**Ms Sugden** asked the Minister for Social Development whether additional or exceptional circumstances, outside of annual income, may be considered as eligibility criteria for the Affordable Warmth Scheme.  
(AQW 50109/11-16)

**Mr Storey:** The qualification criteria for the Affordable Warmth Scheme were determined following a public consultation on proposals between 17 February and 9 May 2014 regarding the Affordable Warmth Scheme. In the consultation, it was proposed to set the household income eligibility level for the Affordable Warmth Scheme at £16,190 (the then free schools meal limit). The findings of the first Affordable Warmth pilot "An Area Based Approach to Finding Households Most in Need" reported that half of the households surveyed had an annual income of less than £12,000 and two thirds of them had an annual income of less than £16,000.

As a result of the public consultation my Department decided that the annual household income level should be set at £20,000. In reaching this figure my Department considered the 2012/13 Family Resources Survey which showed that 39% of Northern Ireland households had an income less than £400 per week.

The £20,000 limit was set as part of the extensive consultation therefore there is no flexibility or discretion to take exceptional circumstances into account. My Department will review the Affordable Warmth Scheme, including the qualification criteria, after one full year of operation to ensure that those households most impacted by fuel poverty are assisted.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

**Ms Sugden** asked the Minister for Social Development what support is available to families that are at risk of fuel poverty, but are not eligible for the Affordable Warmth Scheme.  
(AQW 50110/11-16)

**Mr Storey:** The Affordable Warmth Scheme is delivered in partnership between my Department, the Northern Ireland Housing Executive and local councils. Local council staff make the initial contact with householders considered to be most at risk of fuel poverty to assess eligibility for the Affordable Warmth Scheme. Where the household is not eligible for assistance under the Affordable Warmth Scheme, council staff can refer them on to the Northern Ireland Sustainable Energy Programme which provides a range of schemes to assist low income households improve their energy efficiency. My Department's Boiler Replacement Scheme also provides a grant of up to £1,000 to replace old inefficient boilers. Council staff may also direct householders to the Bryson Energy Freephone advice line to obtain independent and impartial advice for domestic householders in Northern Ireland. This advice line is funded by my Department through the Northern Ireland Housing Executive. Advice and guidance is available on NI Direct for people who want to improve the energy efficiency of their homes.

Council staff also advise householders of the Social Security Agency's 'Make the Call' campaign and if the householder agrees they will send their details to the Make the Call team to undertake a Benefit Entitlement Check.

In addition my Department will issue the annual Winter Fuel Payment (£100 - £300) to qualifying households again this year. My Department also operates the Cold Weather Payment, which is issued to qualifying households when the temperature is or is forecast to be zero or below for 7 consecutive days between 1 November and 31 March. This payment could be made several times during the qualifying period, depending on the temperature.

**Mr Swann** asked the Minister for Social Development how many of his departmental staff have a registered disability, broken down (i) by full time equivalent; and (ii) as a percentage of the workforce.  
(AQW 50115/11-16)

**Mr Storey:** The most up to date information is as at 01 July 2015, 499 Department for Social Development (DSD) staff had declared a disability which equates to 451 full time equivalent or 7% of DSD staff.

It should be noted that there is no requirement for an individual to declare that they have a disability.



**Mr B McCrea** asked the Minister for Social Development to outline how the Northern Ireland Housing Executive is financed in relation to the Affordable Warmth Scheme.

**(AQW 50122/11-16)**

**Mr Storey:** The Affordable Warmth grants are funded by capital Departmental Expenditure Limit (DEL) funding. The administrative costs of the scheme are funded by resource DEL funding. The Affordable Warmth Scheme launched in September 2014 and its first full year of operation is the 2015/16 year. The 2015/16 budget allocations in respect of the Affordable Warmth Scheme are as follows:

- Capital DEL      £16.5m
- Resource DEL    £1.7m

**Mr B McCrea** asked the Minister for Social Development for an update on new gambling legislation.

**(AQW 50127/11-16)**

**Mr Storey:** Gambling policy is currently under consideration. I will announce the way forward in due course.

**Mr Allister** asked the Minister for Social Development to detail the (i) average time; and (ii) longest time taken by his Department to respond to a Freedom of Information request since 2012.

**(AQW 50149/11-16)**

**Mr Storey:** The Department for Social Development has since October 2012 collated its average clearance time for Freedom of Information requests on a quarterly basis.

Since then the Department has received 849 FoI requests with the average clearance time of 18.02 days.

The longest clearance time taken to respond to a Freedom of Information request since October 2012 has been 497 days.

**Mr Ramsey** asked the Minister for Social Development how many people are living in sheltered accommodation in Foyle.

**(AQW 50164/11-16)**

**Mr Storey:** The Housing Executive has advised that there are currently 595 people living in sheltered accommodation in the Foyle area of Londonderry.

**Mr Ramsey** asked the Minister for Social Development to detail the number of people awarded full duty applicant homelessness points, broken down by Northern Ireland Housing Executive district in Foyle.

**(AQW 50167/11-16)**

**Mr Storey:** The Housing Executive has advised that at 30 September 2015 the number of people awarded full duty applicant homelessness points in the Foyle parliamentary constituency, broken down by NIHE District area was:-

- Waterloo Place      224
- Waterside            179
- Collon Terrace      198

**Mr Ramsey** asked the Minister for Social Development to detail the number of pending applications to the Northern Ireland Housing Executive in Foyle, that have requested a property transfer based on medical or social grounds.

**(AQW 50168/11-16)**

**Mr Storey:** The Housing Executive has advised that at the 1st October 2015 the number of pending transfer requests in respect of the Foyle Parliamentary Constituency registered on the waiting list that have been awarded points on medical or social grounds was 427. Of these requests 348 are deemed to be in housing stress (i.e. they have in excess of 30 points).

**Lord Morrow** asked the Minister for Social Development (i) whether reconsiderations in disputed Employment and Support Allowance decisions will all proceed as notification of intent to appeal; to detail (ii) when this decision was taken; (iii) whether representations continue to be considered; and (iv) whether cases move to appeal hearing only when representations have been fully examined and rejected by Employment and Support Allowance decision makers.

**(AQW 50182/11-16)**

**Mr Storey:** When a claimant disputes a social security decision they can:

- Ask for an explanation;
- Ask for it to be reconsidered;
- Ask for a written statement of reasons;
- Appeal against the decision.

The reconsideration process was introduced to ensure that where cases have been decided incorrectly they can be put right easily and quickly by the decision maker, and not at the tribunal level.

With regard to the specific issues that you have sought clarification on, the answers are detailed below:

- (i) A request for a reconsideration of a disputed Employment and Support Allowance decision will not proceed as notification of an intent to appeal unless the claimant asks for an appeal.
- (ii) Not applicable.
- (iii) A decision maker will reconsider a decision upon receipt of further evidence.
- (iv) A case will move to an appeal hearing when the decision maker has reconsidered the disputed decision taking account of all available evidence, is unable to change the decision (or can only partially change it) and the claimant has asked for an appeal.

**Ms Fearon** asked the Minister for Social Development whether neighbourhood renewal and regeneration powers will be transferred to councils in April 2016.

**(AQO 9056/11-16)**

**Mr Storey:** My Department is not transferring current programmes such as Neighbourhood Renewal to Councils. It is proposed however, through the Regeneration Bill, to confer powers on Councils and transfer to them relevant budgets to enable them to decide how to best tackle disadvantage and take forward regeneration and community development in their areas. In doing this they must have regard for guidance issued by the Department, including the Urban Regeneration and Community Development Policy Framework.

The proposed transfer of powers to local government in April 2016 is, however, dependent on the successful passage of the Regeneration Bill through the Assembly. It has successfully completed the Committee Stage and I am currently considering the way forward in light of a number of amendments proposed by the Social Development Committee.

**Mr Allen** asked the Minister for Social Development to detail the factors used when selecting an area for shared housing under Together: Building a United Community.

**(AQW 50207/11-16)**

**Mr Storey:** Prospective Together: Building a United Community shared neighbourhood schemes are assessed against overarching criteria, which have been approved by the Housing Executive's Chief Executive's Business Committee. The stage 1 criteria are:

- a Religious mix of the local community. This examines both the existing wider communities and the make-up of the proposed, new shared neighbourhood;
- b The waiting list should demonstrate that the scheme delivered would not have one community in the dominance of more than 70%;
- c A history of good relations in the area. This criterion considers communities which have participated in Housing Executive Good Relations programmes;
- d Potential size of development (not less than 25 units). Exceptions in rural areas will be considered; and
- e Local political/community issues/views indicate support for sharing.

Selection is made using a Selection Criteria Form with data provided by the Housing Executive's Community Cohesion Unit, and signed off by the Department for Social Development / Housing Executive Internal Oversight Group.

**Mr Allen** asked the Minister for Social Development for an update on the review of the housing points system.

**(AQW 50208/11-16)**

**Mr Storey:** My officials are currently working up proposals for changes to the allocations system, following publication of independent recommendations on this issue. This is a fundamental review, which goes much further than looking solely at a points system. Any proposals for change will be subject to a full public consultation.

**Mrs Cochrane** asked the Minister for Social Development how many Housing Executive properties in East Belfast still require an upgrade to gas heating.

**(AQO 8958/11-16)**

**Mr Storey:** Excluding Tower Blocks, there are 3,464 Housing Executive owned properties in East Belfast of which 2,754 currently have gas heating installed. The remaining 710 properties have Economy Seven, oil or solid fuel heating. It is intended that these properties will eventually be converted to gas in accordance with the Housing Executive programme of heating replacement, providing that the gas network is available, that gas can technically be installed in the property and it is safe to do so.

**Mr Craig** asked the Minister for Social Development to outline the action his Department will take to ensure the lessons learnt from recent public realm schemes are shared across councils.

**(AQO 8960/11-16)**

**Mr Storey:** An integral part of the post project evaluation process within my department is to ensure that lessons learnt are recorded for all completed public realm schemes. These learning points are then disseminated across the development office structure within the department and applied to the planning and delivery of future projects in council areas across Northern Ireland. This action enables my officials to ensure the lessons learned from previous schemes are taken into account in the management of new public realm schemes, where appropriate.

I believe it is vitally important that construction works are closely managed to ensure that disruption to local business and shoppers is kept to a minimum. Prompt action is crucial when performance is considered to have dipped below that laid out in the project programme as was the case in a current scheme. I personally wrote to the Council Chief Executive to express my concern about the performance of the contractor and to offer the support of my officers and those from the Central Procurement Directorate to address issues that were causing concern. This co-ordinated action from all interested bodies helped to ensure the scheme was brought back on time and within budget.

**Mr Ross** asked the Minister for Social Development to outline the schedule of planned maintenance for properties in East Antrim.

**(AQO 8961/11-16)**

**Mr Storey:** The Housing Executive operates a large scale programme of planned maintenance across all its properties in Northern Ireland, including those in East Antrim.

I am happy to provide the Member with a written schedule of the particular maintenance schemes planned this year in East Antrim. However, to give some indication of the works planned, it is intended that approximately 288 properties in East Antrim will benefit from kitchen schemes and around 197 from heating schemes.

The Housing Executive is currently discussing with its contractors start dates for these schemes.

**Mr Beggs** asked the Minister for Social Development whether his Special Adviser is bound by a departmental code of conduct.

**(AQO 8962/11-16)**

**Mr Storey:** All Special Advisers are Civil Servants and as such, they are bound by the rules on conduct contained in the Northern Ireland Civil Service Human Resources Handbook. In addition, Special Advisers are also bound by the Code of Conduct for Special Advisers.

There is no separate code of conduct for my department.

**Mr Buchanan** asked the Minister for Social Development what plans his Department has for the delivery of social housing in West Tyrone.

**(AQO 8963/11-16)**

**Mr Storey:** In order to help address identified housing need in West Tyrone, 31 new social housing units are planned to be delivered over the next three years. At present two schemes delivering 17 units are currently on site in Omagh, and will be completed during this financial year. A further eight unit scheme in Omagh and a six unit scheme in Strabane are programmed to start on site over the next two years.

The remaining housing need is expected to be addressed either through the reletting of existing stock or the refurbishment of void properties.

**Mr Givan** asked the Minister for Social Development for an update on the public realm scheme in Lisburn City Centre.

**(AQO 8964/11-16)**

**Mr Storey:** My Department, along with Lisburn and Castlereagh City Council, is working diligently to ensure that work to the streets of Lisburn City Centre is completed as soon as possible. I anticipate that the vast majority of works will be completed by the end of October 2015, and any residual issues will be dealt with before Christmas. As with most Public Realm Schemes, no major work will be carried out on the cities' streets over the Christmas period.

Public realm improvement schemes can truly transform a place and can act as a catalyst for revitalising our town and city centres by creating new opportunities, attracting and bringing in new investment. The Lisburn Public Realm scheme is a very impressive scheme and it will significantly raise the quality of the environment, to help create the right environment to attract new business and leisure activities into the city centre. I am confident that this scheme will help to stimulate the local economy and help to sustain activity outside traditional business hours. I look forward to visiting the city centre to see the completed scheme in the near future.

**Mr Lynch** asked the Minister for Social Development for an update on his plans to reform licensing laws.

**(AQO 8965/11-16)**

**Mr Storey:** In November 2012 the then Minister for Social Development consulted on a number of proposed changes to current liquor licensing law, which sought to strike a balance between controlling the sale of alcoholic drinks and supporting the local hospitality sector.

In July 2014, the Executive agreed to the drafting of a Bill to introduce changes to liquor licensing law. The proposed changes include

- restrictions on the advertising of alcohol in supermarkets and off sales premises;
- introduction of an occasional additional late opening hour for certain licensed premises on up to 12 occasions per year;
- modest changes to the Easter opening hours for public houses, with normal opening hours applying on the Thursday and Saturday before Easter;
- the alignment of the alcohol and entertainment licensing systems to make enforcement of the law on late opening easier for the police;
- formal approval for codes of practice on the responsible sale of alcohol; and
- minor changes to the law affecting private members clubs

A Bill has been drafted and I am still considering the content of the draft Bill.

**Mr Somerville** asked the Minister for Social Development to outline the current area in hectares of both surplus and undeveloped land owned by the Northern Ireland Housing Executive.

**(AQO 8966/11-16)**

**Mr Storey:** There is a total of 29 hectares (71 acres) of land owned by the Northern Ireland Housing Executive which have been declared surplus for disposal.

In addition to the 29 hectares (71 acres) of surplus land, there is a further 194 hectares (479 acres) of undeveloped land owned by the Northern Ireland Housing Executive. This gives a total of 223 hectares (551 acres) of undeveloped land on their Undeveloped Land Schedule.

**Ms Fearon** asked the Minister for Social Development for his assessment of the findings of the Poverty Bulletin 2013-2014.  
**(AQO 8967/11-16)**

**Mr Storey:** The Office of the First Minister and deputy First Minister currently has lead responsibility within the Executive for tackling poverty. However, my Department holds many of the policy and operational levers to address poverty and disadvantage on the ground and has and will continue to play a major role in progressing the Executive's Delivering Social Change Agenda, the aim of which is to break the cycle of poverty and disadvantage that characterises our most deprived individuals, families and communities.

My Department is responsible for measuring poverty in Northern Ireland and the results of the 2013-14 Poverty Bulletin would indicate that the overall long-term trend of poverty in Northern Ireland has remained fairly stable since 2002/2003, with approximately one fifth of the population living in poverty. Northern Ireland has experienced a slight increase in relative poverty from 19% in 2012-13 to 21% both before and after Housing Costs.

Clearly, there is much work still to be done by this Executive in relation to reducing poverty in Northern Ireland.

I would reiterate the full commitment of myself and my Department to continuing to work to support the Executive in its efforts to tackle poverty and social exclusion.

**Mr McMullan** asked the Minister for Social Development for his assessment of whether the provision of social housing in rural areas matches that in urban areas.

**(AQO 8968/11-16)**

**Mr Storey:** I am committed to increasing the number of social homes throughout Northern Ireland whether it is in an urban or rural area. Housing activity in rural areas, which is classed as a settlement with a population of up to 5,000 is identified by the Northern Ireland Housing Executive through their Rural Action Plan, and then delivered through the Social Housing Development Programme.

During the last financial year 2,013 new social homes were started in Northern Ireland of which 119 were in rural areas. In monetary terms, this equates to some £6.5 million of Housing Association Grant invested in new social housing schemes in the rural parts of Northern Ireland to help address need and sustain local communities.

I continue to support the Northern Ireland Housing Executive's commitment to deliver social housing in rural communities.



# Northern Ireland Assembly

Friday 13 November 2015

## Written Answers to Questions

### Department of Agriculture and Rural Development

**Lord Morrow** asked the Minister of Agriculture and Rural Development how many cattle thefts, or reports of missing cattle, in each departmental area have been recorded with her Department in the (i) 2013; (ii) 2014; and (iii) 2015 calendar years to date; and how many of these cattle were recovered.

(AQW 50191/11-16)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The figures below reflect reports received by my Department concerning cattle herds in each departmental area.

During the 2013 calendar year the reports received regarding missing/stolen cattle and those subsequently reported as recovered are as follows:

Divisional DARD Office	Total Incidents per departmental area	Total animals reported as missing/stolen	Total animals reported as recovered
Armagh	207	604	8
Ballymena	102	216	15
Coleraine	116	206	15
Dungannon	239	624	14
Enniskillen	161	280	11
Mallusk	92	178	11
Derry	41	137	0
Newry	243	817	34
Newtownards	90	272	7
Omagh	266	527	4
<b>Total</b>	<b>1557</b>	<b>3861</b>	<b>119</b>

During the 2014 calendar year the reports received regarding missing/stolen cattle and those subsequently reported as recovered are as follows:

Divisional DARD Office	Total Incidents per departmental area	Total animals reported as missing/stolen	Total animals reported as recovered
Armagh	187	646	17
Ballymena	99	168	9
Coleraine	125	261	10
Dungannon	228	478	5
Enniskillen	163	248	7
Mallusk	137	292	8
Derry	37	143	0
Newry	249	619	9
Newtownards	150	400	3

Divisional DARD Office	Total Incidents per departmental area	Total animals reported as missing/stolen	Total animals reported as recovered
Omagh	266	483	12
<b>Total</b>	<b>1641</b>	<b>3738</b>	<b>80</b>

So far in 2015 the reports received regarding missing/stolen cattle and those subsequently reported as recovered are as follows:

Divisional DARD Office	Total Incidents per departmental area	Total animals reported as missing/stolen	Total animals reported as recovered
Armagh	105	507	5
Ballymena	65	132	2
Coleraine	70	122	3
Dungannon	125	281	2
Enniskillen	64	91	0
Mallusk	65	172	1
Derry	19	31	2
Newry	160	435	1
Newtownards	61	136	2
Omagh	114	239	2
<b>Total</b>	<b>848</b>	<b>2146</b>	<b>20</b>

DARD's Veterinary Service Central Enforcement Team assist the PSNI in the investigation of such cases and share intelligence with them but we do not have access to any police records concerning their investigations nor the outcome of these.

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, pursuant to AQW 48915/11-16, when our Officially Brucellosis Free status will be published in the Official Journal of the EU; and what on-going yearly costs will apply to the lower level of surveillance testing over the next five years.  
(AQW 50247/11-16)

**Mrs O'Neill:** On 9 September 2015, we received the tremendous news that our application to the EU Commission for Officially Brucellosis Free (OBF) status had been approved by the Standing Committee on Plant, Animals, Food and Feed in Brussels.

On 6 October 2015, this decision was formally published in the Official Journal of the EU, thus confirming our formal recognition as an OBF region.

Achieving formal OBF status has allowed us to introduce further proportionate reduction in the frequency of testing in our surveillance regime, which must be maintained for 5 years after achieving OBF status.

These changes will greatly reduce the costs that our control measures place on both farmers and taxpayers. In recent years the cost to taxpayers has been some £8 million per year and related compliance costs for farmers have been some £7 million per year.

In June 2015 I reduced by half the level of surveillance testing for beef herds, that is by replacing annual testing by biennial testing. This will continue for another two years, when the level of testing will again reduce to testing one third of beef herds each year over the following three years. From September 2015 I abolished brucellosis pre-movement testing for moves within the north of Ireland. From October 2015 I increased the age at which animals are routinely tested from 12 to 24 months. From November 2015, testing for dairy herds will reduce to some 20% of herds per year over the next 5 years. Dairy herds can be tested less frequently than beef herds given the assurance provided by bulk milk sampling.

These changes will significantly reduce the on-going yearly costs of the Brucellosis Programme.

## Department of Culture, Arts and Leisure

**Mr Ó Muilleoir** asked the Minister of Culture, Arts and Leisure to detail her Department's spend on funding and capital projects in South Belfast since May 2011.  
(AQW 49170/11-16)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I apologise for the delay in responding to your question. Enquiries of this nature, which require the collation of information from a number of sources over a number of years, require more time to address than is usual.

I have attached a table listing the resource and capital spend by my Department and its arm's length bodies in South Belfast since May 2011. It should be noted that spend in this constituency is high compared with others. This is due mainly to the location of almost all of the Arts Council's major funded bodies (Lyric, GOH, Ulster Orchestra, NI Opera and Belfast Festival at Queen's) and of Windsor Park, which is undergoing redevelopment, within the constituency.

**DCAL Funding in the South Belfast Constituency: May 2011 to Date**

Branch/ALB issuing Payment	Organisation Funded	Amount £	Financial Year	Capital / Resource
Sport NI	Athlete Investment Programme	110,796	2011/12	Resource
Sport NI	Northern Ireland Community of Refugee and Asylum Seekers	2,194	2011/12	Capital & Resource
Sport NI	Aquinas FC	1,795	2011/12	Capital & Resource
Sport NI	Belfast Rowing Club	2,249	2011/12	Capital & Resource
Sport NI	Sustrans	8,800	2011/12	Capital & Resource
Sport NI	Greater Village Regeneration Trust (GVRT)	3,881	2011/12	Capital & Resource
Sport NI	Friends of Glenveagh	3,875	2011/12	Capital & Resource
Sport NI	Belfast Activity Centre	750	2011/12	Resource
Sport NI	Crawfordsburn Scout Centre	750	2011/12	Resource
Sport NI	Castlereagh Borough Council	1,000	2011/12	Resource
Sport NI	Aquinas Diocesan Grammar School	245,000	2011/12	Capital
Foras na Gaeilge	An Droichead SPG	55,109	2011	Resource
Foras na Gaeilge	An Droichead Imeachtaí Óige	3,226	2011	Resource
Foras na Gaeilge	An Droichead Summer Camps	6,980	2011	Resource
Foras na Gaeilge	Tonnta Imeachtaí Óige	7,000	2011	Resource
Foras na Gaeilge	Cló Ollscoil na Banríona	3,500	2011	Resource
Foras na Gaeilge	An Droichead	4,000	2011	Resource
Foras na Gaeilge	Séamus Heaney Centre	20,000	2011	Resource
DCAL	Rivers Agency	59,214	2011	Resource
Ulster-Scots Agency	Village Maids Highland Dance Group	2,003	2011	Resource
Ulster-Scots Agency	Pride of LaganValley Flute Band	1,650	2011	Resource
Northern Ireland Screen	Cinemagic	10,385	2011/12	Resource
Northern Ireland Screen	Nerve Belfast CLC	245,278	2011/12	Resource
Northern Ireland Screen	Belfast Film Festival	42,408	2011/12	Resource
Northern Ireland Screen	Digital Film Archive	280	2011/12	Resource
DCAL	Blick Studios	1,000	2011/12	Resource
DCAL	Colleges NI	3,000	2011/12	Resource
DCAL	Creative Skillset	9,500	2011/12	Resource
DCAL	Creative & Cultural Skills	3,890	2011/12	Resource
DCAL	Institute of Directors	5,000	2011/12	Resource

Branch/ALB issuing Payment	Organisation Funded	Amount £	Financial Year	Capital / Resource
DCAL	Momentum	50,000	2011/12	Resource
DCAL	NI Design Alliance	4,000	2011/12	Resource
DCAL	NI Museums Council	1,230	2011/12	Resource
DCAL	NI Screen	40,000	2011/12	Resource
DCAL	Queen's University Belfast	300	2011/12	Resource
DCAL	Tonnta Community Interest Company	16,133	2011/12	Resource
DCAL	NI Museums Council	257,868	2011/12	Resource
Arts Council NI	Ulster-Scots Agency	10,000	2011/12	Resource
Arts Council NI	The Grand Opera House Trust	7,508	2011/12	Resource
Arts Council NI	Audiences Northern Ireland	3,000	2011/12	Resource
Arts Council NI	Audiences Northern Ireland	2,000	2011/12	Resource
Arts Council NI	Audiences Northern Ireland	14,900	2011/12	Resource
Arts Council NI	Audiences Northern Ireland	11,592	2011/12	Resource
Arts Council NI	Ulster Orchestra Society Ltd	8,595	2011/12	Resource
Arts Council NI	Irish Pages Ltd.	3,000	2011/12	Resource
Arts Council NI	Lagan Legacy	5,000	2011/12	Resource
Arts Council NI	Belfast Titanic Company	10,000	2011/12	Resource
Arts Council NI	The Grand Opera House Trust	25,000	2011/12	Resource
Arts Council NI	Crescent Arts Centre	2,880	2011/12	Resource
Arts Council NI	Audiences Northern Ireland	6,000	2011/12	Resource
Arts Council NI	QSS @ Bedford Street	4,000	2011/12	Resource
Arts Council NI	Music Theatre 4 Youth Ltd	17,095	2011/12	Resource
Arts Council NI	The Grand Opera House Trust	83,145	2011/12	Resource
Arts Council NI	The Lyric Theatre (NI)	150,000	2011/12	Resource
Arts Council NI	Community Foundation for Northern Ireland	3,000	2011/12	Resource
Arts Council NI	The Lyric Theatre (NI)	59,000	2011/12	Resource
Arts Council NI	Ormeau Avenue Gallery Ltd	300,000	2011/12	Resource
Arts Council NI	Alternative Ulster	29,000	2011/12	Resource
Arts Council NI	Wheelworks	60,000	2011/12	Resource
Arts Council NI	Irish Pages Ltd.	30,000	2011/12	Resource
Arts Council NI	BelfastTrad (Traditional Music and Dance Society)	20,000	2011/12	Resource
Arts Council NI	NI Opera	449,000	2011/12	Resource
Arts Council NI	QSS @ Bedford Street	31,032	2011/12	Resource
Arts Council NI	East Belfast Arts Collective	7,500	2011/12	Resource
Arts Council NI	Youth Action Northern Ireland	25,000	2011/12	Resource
Arts Council NI	Streetwise Community Circus Workshops	33,531	2011/12	Resource
Arts Council NI	Blackstaff Press Limited	79,300	2011/12	Resource
Arts Council NI	Crescent Arts Centre	201,300	2011/12	Resource
Arts Council NI	Arts Care	45,292	2011/12	Resource



<b>Branch/ALB issuing Payment</b>	<b>Organisation Funded</b>	<b>Amount £</b>	<b>Financial Year</b>	<b>Capital / Resource</b>
Arts Council NI	The Grand Opera House Trust	613,000	2011/12	Resource
Arts Council NI	The Lyric Theatre (NI)	1,000,000	2011/12	Resource
Arts Council NI	Open Arts	70,081	2011/12	Resource
Arts Council NI	Partisan Productions	20,000	2011/12	Resource
Arts Council NI	Belfast Festival at Queen's	100,000	2011/12	Resource
Arts Council NI	Ulster Orchestra Society Ltd	2,196,720	2011/12	Resource
Arts Council NI	Audiences Northern Ireland	212,000	2011/12	Resource
Arts Council NI	The Lyric Theatre (NI)	138,198	2011/12	Capital
Arts Council NI	Banjax Ltd	10,000	2011/12	Resource
Arts Council NI	Sixteen South Ltd	10,000	2011/12	Resource
Arts Council NI	Billy Goat Entertainment Ltd	10,000	2011/12	Resource
Arts Council NI	Starfish Web Consulting	6,000	2011/12	Resource
Arts Council NI	Filmtrip LTD	10,000	2011/12	Resource
Arts Council NI	AirPOS Ltd	10,000	2011/12	Resource
Arts Council NI	Spiderhousepr	10,000	2011/12	Resource
Arts Council NI	Blacknorth Studio Ltd	9,635	2011/12	Resource
Arts Council NI	Fleming Steele Ltd	10,000	2011/12	Resource
Arts Council NI	Crosstown Media	10,000	2011/12	Resource
Arts Council NI	The Creativity Hub Ltd	9,950	2011/12	Resource
Arts Council NI	Inlifesize Ltd	10,000	2011/12	Resource
Arts Council NI	Michael Moore	250	2011/12	Resource
Arts Council NI	Ms Cheryl Bleakley	250	2011/12	Resource
Arts Council NI	Mr Miguel Martin	870	2011/12	Resource
Arts Council NI	Lyndsey McDougall	500	2011/12	Resource
Arts Council NI	Angela Ginn	250	2011/12	Resource
Arts Council NI	John McGurgan	250	2011/12	Resource
Arts Council NI	Eric Lyon	500	2011/12	Resource
Arts Council NI	Gascia Ouzounian	500	2011/12	Resource
Arts Council NI	Paddy McCann	600	2011/12	Resource
Arts Council NI	Sinead Bhreathnach-Cashell	250	2011/12	Resource
Arts Council NI	Ricky Graham	250	2011/12	Resource
Arts Council NI	Ms Kelsey Long	600	2011/12	Resource
Arts Council NI	Tina Segner	800	2011/12	Resource
Arts Council NI	Claire Muckian	2,410	2011/12	Resource
Arts Council NI	Morgan Moore	250	2011/12	Resource
Arts Council NI	Sinead Bhreathnach-Cashell	4,162	2011/12	Resource
Arts Council NI	Cian Donnelly	100	2011/12	Resource
Arts Council NI	Anna Newell	250	2011/12	Resource
Arts Council NI	Conor Gillespie	100	2011/12	Resource
Arts Council NI	Elisabeth Zeindlinger	250	2011/12	Resource

Branch/ALB issuing Payment	Organisation Funded	Amount £	Financial Year	Capital / Resource
Arts Council NI	Michelle Young	250	2011/12	Resource
Arts Council NI	Susanne Bosch	870	2011/12	Resource
Arts Council NI	Anushiya Sundaralingam	800	2011/12	Resource
Arts Council NI	Katherine Moore	100	2011/12	Resource
Arts Council NI	Adrian McAleenan	240	2011/12	Resource
Arts Council NI	Susanne Bosch	250	2011/12	Resource
Arts Council NI	Success Dragon & Lion Dance Association	5,000	2011/12	Resource
Arts Council NI	Quire	5,000	2011/12	Resource
Libraries NI	Finaghy Library	125,167	2011/12	Resource
Libraries NI	Finaghy Library	20,800	2011/12	Capital
Libraries NI	Lisburn Road Library	114,567	2011/12	Resource
Libraries NI	Ormeau Road Library	142,495	2011/12	Resource
Libraries NI	Ormeau	271,740	2011/12	Capital
Libraries NI	Belvoir Park Library	624	2011/12	Resource
Libraries NI	Newtownbreda Library	108,900	2011/12	Resource
DCAL	Lagan Valley Regional Park	17,000	2011/12	Resource
National Museums NI	Ulster Museum	2,004,256	2011/12	Resource
DCAL	Ulster Historical Foundation	9,900	2011/12	Resource
Ulster-Scots Agency	Laganvillage Drum & Fife School	1,650	2012	Resource
Ulster-Scots Agency	25th Belfast Company The Boy's Brigade	703	2012	Resource
Ulster-Scots Agency	Laganvillage Drum & Fife School	820	2012	Resource
Ulster-Scots Agency	Finaghy True Blues Flute Band	1,650	2012	Resource
Ulster-Scots Agency	Pride of LaganValley Flute Band	1,620	2012	Resource
Ulster-Scots Agency	Sandy Row Cultural Society	637	2012	Resource
Ulster-Scots Agency	Unionist Centenary Committee	9,600	2012	Resource
Sport NI	Belfast Activity Centre	150	2012/13	Resource
Sport NI	The Boys Brigade (Belfast Battalion)	245,000	2012/13	Capital
Sport NI	Outdoor Recreation NI	225,338	2012/13	Capital
Foras na Gaeilge	An Droichead SPG	67,250	2012	Resource
Foras na Gaeilge	An Droichead Imeachtaí Óige	6,602	2012	Resource
Foras na Gaeilge	An Droichead Summer Camps	6,980	2012	Resource
Foras na Gaeilge	Tonnta Imeachtaí Óige	7,000	2012	Resource
Foras na Gaeilge	Tonnta Imeachtaí Computer-Assisted Learning Scheme	3,000	2012	Resource
Foras na Gaeilge	An Droichead	4,500	2012	Resource
Foras na Gaeilge	Ollscoil na Banríona	10,000	2012	Resource
Foras na Gaeilge	Séamus Heaney Centre	20,000	2012	Resource
DCAL	Rivers Agency	45,103	2012	Resource
DCAL	Presbyterian Historical Society of Ireland	27,361	2012	Capital

<b>Branch/ALB issuing Payment</b>	<b>Organisation Funded</b>	<b>Amount £</b>	<b>Financial Year</b>	<b>Capital / Resource</b>
DCAL	Lagan Valley Regional Park	17,000	2012/13	Resource
DCAL	NI Museums Council	152,143	2012/13	Resource
National Museums NI	Ulster Museum	1,626,136	2012/13	Resource
National Museums NI	Ulster Museum	175,782	2012/13	Capital
DCAL	Irish Football Association	1,392,095	2012/13	Capital
DCAL	Irish Football Association	214,666	2012/13	Resource
DCAL	Blick Studios	1,400	2012/13	Resource
DCAL	Colleges NI	4,070	2012/13	Resource
DCAL	Arts & Disability Forum	9,100	2012/13	Resource
DCAL	Creative & Cultural Skills	6,040	2012/13	Resource
DCAL	Institute of Directors	5,600	2012/13	Resource
DCAL	Kabosh	2,000	2012/13	Resource
DCAL	Momentum	50,000	2012/13	Resource
DCAL	NI Screen	30,000	2012/13	Resource
DCAL	NI Screen	40,000	2012/13	Resource
Arts Council NI	The Lyric Theatre (NI)	1,050,000	2012/13	Resource
Arts Council NI	QSS @ Bedford Street	32,584	2012/13	Resource
Arts Council NI	Crescent Arts Centre	226,800	2012/13	Resource
Arts Council NI	NI Opera	537,700	2012/13	Resource
Arts Council NI	The Grand Opera House Trust	613,000	2012/13	Resource
Arts Council NI	Belfast Festival at Queen's	195,000	2012/13	Resource
Arts Council NI	Ulster Orchestra Society Ltd	2,196,720	2012/13	Resource
Arts Council NI	Audiences Northern Ireland	246,600	2012/13	Resource
Arts Council NI	NI Opera	10,040	2012/13	Resource
Arts Council NI	Rachel McCabe	180	2012/13	Resource
Arts Council NI	Mr Michael McHale	1,000	2012/13	Resource
Arts Council NI	NI Opera	5,000	2012/13	Resource
Arts Council NI	The Lyric Theatre (NI)	10,000	2012/13	Resource
Arts Council NI	NI Opera	5,730	2012/13	Resource
Arts Council NI	The Lyric Theatre (NI)	2,745	2012/13	Resource
Arts Council NI	Irish Pages Ltd.	6,000	2012/13	Resource
Arts Council NI	Audiences Northern Ireland	12,200	2012/13	Resource
Arts Council NI	Audiences Northern Ireland	15,000	2012/13	Resource
Arts Council NI	Belfast Festival at Queen's	50,000	2012/13	Resource
Arts Council NI	NI Opera	40,755	2012/13	Resource
Arts Council NI	Wireless Mystery Theatre	10,000	2012/13	Resource
Arts Council NI	BIG FISH FILMS (NI) LIMITED	10,000	2012/13	Resource
Arts Council NI	Goldsmith Broadcast	10,000	2012/13	Resource
Arts Council NI	Blacknorth Studio Ltd	10,000	2012/13	Resource

<b>Branch/ALB issuing Payment</b>	<b>Organisation Funded</b>	<b>Amount £</b>	<b>Financial Year</b>	<b>Capital / Resource</b>
Arts Council NI	Crescent Arts Centre	10,000	2012/13	Resource
Arts Council NI	Fresh Made Media	10,000	2012/13	Resource
Arts Council NI	Mindflood LTD	10,000	2012/13	Resource
Arts Council NI	Tactility Factory Ltd	10,000	2012/13	Resource
Arts Council NI	Billy Goat Entertainment Ltd	8,800	2012/13	Resource
Arts Council NI	Art on Fashion Ltd	10,000	2012/13	Resource
Arts Council NI	Grainne Maher Millinery	10,000	2012/13	Resource
Arts Council NI	paperclip architects	8,000	2012/13	Resource
Arts Council NI	Co Couture Limited	10,000	2012/13	Resource
Arts Council NI	The Grand Opera House Trust	23,980	2012/13	Capital
Arts Council NI	Mark McKnight	600	2012/13	Resource
Arts Council NI	Jennifer Goddard	248	2012/13	Resource
Arts Council NI	Sarah MacKeever	250	2012/13	Resource
Arts Council NI	Mr. Colm Clarke	250	2012/13	Resource
Arts Council NI	Grainne Holland	500	2012/13	Resource
Arts Council NI	Miss Alana Kerr	600	2012/13	Resource
Arts Council NI	Eoin Dara McGreevy	250	2012/13	Resource
Arts Council NI	Liam Kelly	250	2012/13	Resource
Arts Council NI	Joanna Karolini	250	2012/13	Resource
Arts Council NI	Josephine McCormick	3,048	2012/13	Resource
Arts Council NI	Claire Hall	5,000	2012/13	Resource
Arts Council NI	Fergus Jordan	250	2012/13	Resource
Arts Council NI	Noel McGee	150	2012/13	Resource
Arts Council NI	Deirdre McKenna	650	2012/13	Resource
Arts Council NI	Maureen Boyle	250	2012/13	Resource
Arts Council NI	Mairead Dunne	2,654	2012/13	Resource
Arts Council NI	Martin Boyle	1,604	2012/13	Resource
Arts Council NI	Susan Hughes	250	2012/13	Resource
Arts Council NI	Grant Goldie	800	2012/13	Resource
Arts Council NI	Mairead Dunne	650	2012/13	Resource
Arts Council NI	Mr. Sean Campbell	650	2012/13	Resource
Arts Council NI	Paul Taylor	650	2012/13	Resource
Arts Council NI	Paul Hamill	250	2012/13	Resource
Arts Council NI	East Belfast Arts Collective	4,160	2012/13	Resource
Libraries NI	Finaghy Library	152,372	2012/13	Resource
Libraries NI	Lisburn Road Library	145,842	2012/13	Resource
Libraries NI	Ormeau Road Library	165,110	2012/13	Resource
Libraries NI	Belvoir Park Library	2,332	2012/13	Resource
Libraries NI	Newtownbreda Library	112,611	2012/13	Resource
Northern Ireland Screen	Cinemagic	21,750	2012/13	Resource



Branch/ALB issuing Payment	Organisation Funded	Amount £	Financial Year	Capital / Resource
Northern Ireland Screen	Nerve Belfast CLC	269,301	2012/13	Resource
Northern Ireland Screen	Nerve Belfast CLC	100,000	2012/13	Capital
Northern Ireland Screen	Belfast Film Festival	67,724	2012/13	Resource
Northern Ireland Screen	Digital Film Archive	350	2012/13	Resource
DCAL	The Ulster Scots Language Society	4,187	2012/13	Resource
DCAL	NI Museums Council	288,000	2013/14	Resource
National Museums NI	Ulster Museum	1,701,448	2013/14	Resource
National Museums NI	Ulster Museum	116,475	2013/14	Capital
DCAL	Lagan Valley Regional Park	17,000	2013/14	Resource
DCAL	Queen's University Belfast	3,000	2012/13	Resource
DCAL	Queen's University Belfast	32,702	2012/13	Resource
Sport NI	Athlete Investment Programme	270,549	2013/14	Resource
Sport NI	Athletes NI	3,000	2013/14	Resource
Sport NI	Irish ABA	10,900	2013/14	Resource
Sport NI	NI Judo Federation	18,000	2013/14	Resource
Sport NI	Ulster Branch Irish Table Tennis	8,000	2013/14	Resource
DCAL	Ulster Historical Foundation	12,500	2013/14	Resource
DCAL	Ulster Historical Foundation	14,250	2013/14	Resource
DCAL	Ulster Historical Foundation	25,600	2013/14	Resource
DCAL	Ulster Historical Foundation	25,737	2013/14	Resource
DCAL	The Ulster Scots Language Society	22,150	2013/14	Resource
DCAL	Presbyterian Historical Society of Ireland	23,006	2013/14	Resource
DCAL	The Ulster-Scots Language Society	19,256	2013/14	Resource
DCAL	The Ulster-Scots Language Society	22,606	2013/14	Resource
DCAL	Ulster Historical Foundation	31,976	2013/14	Resource
DCAL	Queen's University Belfast	11,941	2013/14	Resource
DCAL	Presbyterian Historical Society of Ireland	16,390	2013/14	Resource
DCAL	Queen's University Belfast	10,371	2013/14	Resource
DCAL	Ulster Historical Foundation	10,000	2013/14	Resource
DCAL	Ulster Historical Foundation	31,000	2013/14	Resource
DCAL	Creative Skillset	9,500	2013/14	Resource
DCAL	Blick Studios	1,500	2013/14	Resource
DCAL	Cinemagic	5,470	2013/14	Resource
DCAL	Cinemagic	7,276	2013/14	Resource
DCAL	Colleges NI	2,450	2013/14	Resource
DCAL	Creative & Cultural Skills	3,979	2013/14	Resource

<b>Branch/ALB issuing Payment</b>	<b>Organisation Funded</b>	<b>Amount £</b>	<b>Financial Year</b>	<b>Capital / Resource</b>
DCAL	Creative & Cultural Skills	75,200	2013/14	Resource
DCAL	Creative Skillset	15,000	2013/14	Resource
DCAL	Kabosh	6,860	2013/14	Resource
DCAL	Linen Hall Library	19,940	2013/14	Resource
DCAL	Nerve Belfast	108,330	2013/14	Resource
DCAL	NI Science Park	7,920	2013/14	Resource
DCAL	NI Screen	40,000	2013/14	Resource
DCAL	NI Screen	100,000	2013/14	Resource
DCAL	NI Screen	135,000	2013/14	Resource
DCAL	NI Screen	20,000	2013/14	Resource
DCAL	NI Screen	75,000	2013/14	Resource
DCAL	NI Screen	100,000	2013/14	Resource
DCAL	Queen's University Belfast	9,000	2013/14	Resource
DCAL	Queen's University Belfast	1,450	2013/14	Resource
DCAL	Queen's University Belfast	6,000	2013/14	Resource
DCAL	Queen's University Belfast	9,777	2013/14	Resource
DCAL	Queen's University Belfast	599	2013/14	Resource
DCAL	PLACE	7,210	2013/14	Resource
DCAL	South Belfast Partnership Board	10,888	2013/14	Resource
DCAL	The Black Box	4,000	2013/14	Resource
DCAL	Ulster Orchestra	30,414	2013/14	Resource
DCAL	Ulster Orchestra	12,792	2013/14	Capital
DCAL	Ulster Orchestra	5,000	2013/14	Resource
DCAL	Audiences NI	20,000	2013/14	Resource
DCAL	Irish Football Association	699,482	2013/14	Capital
DCAL	Irish Football Association	353,080	2013/14	Resource
Northern Ireland Screen	Nerve Belfast CLC	343,418	2013/14	Resource
Northern Ireland Screen	Nerve Belfast CLC	187,670	2013/14	Capital
Northern Ireland Screen	Cinemagic	12,624	2013/14	Resource
Northern Ireland Screen	Belfast Film Festival	98,735	2013/14	Resource
Northern Ireland Screen	Digital Film Archive	240	2013/14	Resource
Libraries NI	Finaghy Library	159,998	2013/14	Resource
Libraries NI	Lisburn Road Library	130,618	2013/14	Resource
Libraries NI	Ormeau Road Library	139,757	2013/14	Resource
Libraries NI	Belvoir Park Library	1,729	2013/14	Resource
Libraries NI	Newtownbreda Library	122,467	2013/14	Resource
Arts Council NI	Belfast Festival at Queen's	189,150	2013/14	Resource

<b>Branch/ALB issuing Payment</b>	<b>Organisation Funded</b>	<b>Amount £</b>	<b>Financial Year</b>	<b>Capital / Resource</b>
Arts Council NI	The Lyric Theatre (NI)	1,018,500	2013/14	Resource
Arts Council NI	NI Opera	521,569	2013/14	Resource
Arts Council NI	Crescent Arts Centre	226,800	2013/14	Resource
Arts Council NI	Ulster Orchestra Society Ltd	2,031,966	2013/14	Resource
Arts Council NI	The Grand Opera House Trust	594,610	2013/14	Resource
Arts Council NI	QSS @ Bedford Street	31,606	2013/14	Resource
Arts Council NI	Audiences Northern Ireland	239,202	2013/14	Resource
Arts Council NI	Crescent Arts Centre	10,489	2013/14	Resource
Arts Council NI	Age NI	15,940	2013/14	Resource
Arts Council NI	Mind Wise New Vision	13,188	2013/14	Resource
Arts Council NI	NI Opera	2,500	2013/14	Resource
Arts Council NI	Queen's University Belfast	1,500	2013/14	Resource
Arts Council NI	Ursula Burns	5,000	2013/14	Resource
Arts Council NI	Crescent Arts Centre	6,546	2013/14	Resource
Arts Council NI	Belfast International Comedy Festival	5,000	2013/14	Resource
Arts Council NI	Crescent Arts Centre	9,000	2013/14	Resource
Arts Council NI	NI Opera	2,500	2013/14	Resource
Arts Council NI	Blackstaff Press Limited	5,069	2013/14	Resource
Arts Council NI	An Droichead	10,000	2013/14	Resource
Arts Council NI	Skillset Northern Ireland	9,950	2013/14	Resource
Arts Council NI	Northern Ireland Museums Council	9,950	2013/14	Resource
Arts Council NI	Institute of Directors	7,000	2013/14	Resource
Arts Council NI	Northern Ireland Chamber of Commerce and Industry	5,000	2013/14	Resource
Arts Council NI	Six Mile Hill Ltd	10,000	2013/14	Resource
Arts Council NI	Sixteen South Ltd	10,000	2013/14	Resource
Arts Council NI	Acorn Film & Video Ltd	10,000	2013/14	Resource
Arts Council NI	Iglu Media Ltd	10,000	2013/14	Resource
Arts Council NI	Wee Buns Ltd	5,000	2013/14	Resource
Arts Council NI	EPIC TOUR	9,690	2013/14	Resource
Arts Council NI	Open Arts	10,218	2013/14	Capital
Arts Council NI	NI Opera	9,588	2013/14	Capital
Arts Council NI	Arts Care	12,961	2013/14	Capital
Arts Council NI	Wheelworks	10,578	2013/14	Capital
Arts Council NI	Leo Devlin	250	2013/14	Resource
Arts Council NI	Caroline Healy	500	2013/14	Resource
Arts Council NI	Becca Hopkins	500	2013/14	Resource
Arts Council NI	Miss Aoife Lynch	500	2013/14	Resource
Arts Council NI	Ruth Graham	250	2013/14	Resource
Arts Council NI	Darren Ferguson	500	2013/14	Resource
Arts Council NI	Maria McManus	421	2013/14	Resource

<b>Branch/ALB issuing Payment</b>	<b>Organisation Funded</b>	<b>Amount £</b>	<b>Financial Year</b>	<b>Capital / Resource</b>
Arts Council NI	Deirdre Cartmill	421	2013/14	Resource
Arts Council NI	Miss Natasha Wilton	800	2013/14	Resource
Arts Council NI	Jennifer Goddard	150	2013/14	Resource
Arts Council NI	Ken Fanning	800	2013/14	Resource
Arts Council NI	Mr Nathaniel Joseph McAuley	300	2013/14	Resource
Arts Council NI	Mr. Sean Campbell	650	2013/14	Resource
Arts Council NI	Elizabeth Meehan	250	2013/14	Resource
Arts Council NI	Cian O Reilly	250	2013/14	Resource
Arts Council NI	Anna Newell	500	2013/14	Resource
Arts Council NI	Hugh O'Donnell	3,717	2013/14	Resource
Arts Council NI	Mr David Ellison	250	2013/14	Resource
Arts Council NI	Shauna Tohill	5,000	2013/14	Resource
Arts Council NI	The Lyric Theatre (NI)	51,000	2013/14	Resource
Arts Council NI	Kasey Peters	250	2013/14	Resource
Arts Council NI	Greg Caffrey	250	2013/14	Resource
Arts Council NI	Shauna Tohill	250	2013/14	Resource
Arts Council NI	Miss Caroline Pugh	650	2013/14	Resource
Arts Council NI	Conor Lamb	500	2013/14	Resource
Arts Council NI	Hannes Fisher	250	2013/14	Resource
Arts Council NI	Council for the Homeless NI (CHNI)	5,000	2013/14	Resource
Arts Council NI	Hostelling International Northern Ireland	2,960	2013/14	Resource
Arts Council NI	Bbeyond	3,000	2013/14	Resource
Ulster-Scots Agency	25th Belfast Company The Boy's Brigade	1,418	2014	Resource
Ulster-Scots Agency	Cranmore Integrated PS	500	2014	Resource
Sport NI	Athlete Investment Programme	255,323	2014/15	Resource
Sport NI	Instonians Ladies Hockey Club	6,209	2014/15	Capital & Resource
Sport NI	Friends of Glenveagh	5,100	2014/15	Capital & Resource
Sport NI	Lower Ormeau Residents' Action Group	4,960	2014/15	Capital & Resource
Sport NI	Lisburn Ladies FC	7,675	2014/15	Capital & Resource
Sport NI	Leander Amateur Swimming Club	5,295	2014/15	Capital & Resource
Sport NI	Lagan Valley Orienteers	10,000	2014/15	Capital & Resource
Sport NI	Parks Tennis Northern Ireland	4,650	2014/15	Capital & Resource
Sport NI	Rosario YFC	693	2014/15	Capital & Resource
Sport NI	Outdoor Recreation NI	36,144	2014/15	Resource
Sport NI	Royal Yachting Association (NI)	39,218	2014/15	Resource
Sport NI	Lower Ormeau Residents' Action Group	12,190	2014/15	Capital
Foras na Gaeilge	An Droichead SPG	32,518	2014	Resource
Foras na Gaeilge	An Droichead Imeachtaí Óige	3,500	2014	Resource
Foras na Gaeilge	An Droichead Summer Camps	3,500	2014	Resource
DCAL	Rivers Agency	101,568	2014	Resource



Branch/ALB issuing Payment	Organisation Funded	Amount £	Financial Year	Capital / Resource
DCAL	Greater Village Regeneration Trust	64,439	2014/15	Resource
DCAL	Greater Village Regeneration Trust	10,000	2014/15	Capital
Northern Ireland Screen	Digital Film Archive	818	2014/15	Resource
National Museums NI	Ulster Museum	1,718,874	2014/15	Resource
National Museums NI	Ulster Museum	396,883	2014/15	Capital
DCAL	Lagan Valley Regional Park	17,000	2014/15	Resource
DCAL	Queen's University Belfast	27,177	2014/15	Resource
DCAL	Ulster Historical Foundation	14,410	2014/15	Resource
DCAL	Ulster Historical Foundation	7,500	2014/15	Resource
DCAL	Ulster Historical Foundation	4,500	2014/15	Resource
DCAL	Irish Football Association	#####	2014/15	Capital
DCAL	Irish Football Association	366,171	2014/15	Resource
DCAL	Greater Village Regeneration Trust	47,901	2014/15	Capital
DCAL	An Droichead Cultural Centre	1,000	2014/15	Resource
DCAL	Creative Skillset	10,000	2014/15	Resource
DCAL	Creative Skillset	35,000	2014/15	Resource
DCAL	South Belfast Partnership Board	6,361	2014/15	Resource
DCAL	NI Screen	40,000	2014/15	Resource
DCAL	South Belfast Partnership Board	3,120	2014/15	Resource
DCAL	Cinemagic	5,000	2014/15	Resource
DCAL	Queen's University Belfast	10,000	2014/15	Resource
Arts Council NI	ArtCart	200,000	2014/15	Resource
Arts Council NI	The Lyric Theatre (NI)	1,018,500	2014/15	Resource
Arts Council NI	NI Opera	521,569	2014/15	Resource
Arts Council NI	Ulster Orchestra Society Ltd	1,879,568	2014/15	Resource
Arts Council NI	Crescent Arts Centre	226,800	2014/15	Resource
Arts Council NI	The Grand Opera House Trust	594,610	2014/15	Resource
Arts Council NI	Belfast Festival at Queen's	189,150	2014/15	Resource
Arts Council NI	QSS @ Bedford Street	31,606	2014/15	Resource
Arts Council NI	Audiences Northern Ireland	239,202	2014/15	Resource
Arts Council NI	The Seamus Heaney Centre for Poetry	4,000	2014/15	Resource
Arts Council NI	Belfast Festival at Queen's	50,000	2014/15	Resource
Arts Council NI	Belfast Festival at Queen's	5,000	2014/15	Resource
Arts Council NI	Royal Society of Ulster Architects (RSUA)	6,000	2014/15	Resource
Arts Council NI	The Muckraker	6,500	2014/15	Resource
Arts Council NI	Pandara's Box Ltd	10,000	2014/15	Resource
Arts Council NI	Foxhaut Games	10,000	2014/15	Resource
Arts Council NI	Blackstaff Games Ltd	10,000	2014/15	Resource

Branch/ALB issuing Payment	Organisation Funded	Amount £	Financial Year	Capital / Resource
Arts Council NI	Six Mile Hill Ltd	10,000	2014/15	Resource
Arts Council NI	Grafik Digital Ltd	10,000	2014/15	Resource
Arts Council NI	Linen Hall Library	9,980	2014/15	Resource
Arts Council NI	Billy Goat Entertainment Ltd	10,000	2014/15	Resource
Arts Council NI	Grainne Maher Millinery	5,950	2014/15	Resource
Arts Council NI	Institute of Directors	5,000	2014/15	Resource
Arts Council NI	Royal Television Society NI	4,400	2014/15	Resource
Arts Council NI	Josephine McCormick	250	2014/15	Resource
Arts Council NI	Claire Muckian	3,330	2014/15	Resource
Arts Council NI	NI Opera	3,183	2014/15	Resource
Arts Council NI	Field Day Theatre Co	36,000	2014/15	Resource
Arts Council NI	Claire Hall	3,350	2014/15	Resource
Arts Council NI	Belfast Photo Festival	3,228	2014/15	Resource
Arts Council NI	Open Arts	4,759	2014/15	Resource
Arts Council NI	Grainne Holland	500	2014/15	Resource
Arts Council NI	Emily Dedakis	500	2014/15	Resource
Arts Council NI	Michael Moore	250	2014/15	Resource
Arts Council NI	Mr John Robinson	500	2014/15	Resource
Arts Council NI	Chris McMullan	500	2014/15	Resource
Arts Council NI	Eilise McNicholas	150	2014/15	Resource
Arts Council NI	Zoe Murdoch	250	2014/15	Resource
Arts Council NI	Mr Jim McKeever	650	2014/15	Resource
Arts Council NI	Martin Boyle	650	2014/15	Resource
Arts Council NI	Eoin Dara McGreevy	2,240	2014/15	Resource
Arts Council NI	Liam Kelly	650	2014/15	Resource
Arts Council NI	Dumbworld Ltd	3,660	2014/15	Resource
DCAL	NI Museums Council	285,000	2014/15	Resource
DCAL	NI Museums Council	78,400	2014/15	Resource
Libraries NI	Finaghy Library	147,009	2014/15	Resource
Libraries NI	Lisburn Road Library	156,988	2014/15	Resource
Libraries NI	Ormeau Road Library	146,370	2014/15	Resource
Libraries NI	Newtownbreda Library	107,728	2014/15	Resource
Sport NI	Athlete Investment Programme	37,950	2015/16	Resource
Sport NI	Balmoral Golf Club Limited	3,025	2015/16	Capital & Resource
Sport NI	Cancer Focus Northern Ireland	669	2015/16	Capital & Resource
Sport NI	Queens University RFC	1,207	2015/16	Capital & Resource
DCAL	Rivers Agency	44,871	2015	Resource
Foras na Gaeilge	An Droichead	68,194	2015	Resource
Foras na Gaeilge	An Droichead	3,437	2015	Resource
Foras na Gaeilge	An Droichead	3,464	2015	Resource

Branch/ALB issuing Payment	Organisation Funded	Amount £	Financial Year	Capital / Resource
Foras na Gaeilge	An Droichead	1,750	2015	Resource
Foras na Gaeilge	An Droichead	1,750	2015	Resource
Foras na Gaeilge	An Droichead	4,000	2015	Resource
Foras na Gaeilge	Irish Pages/Duilleir Éireann	1,500	2015	Resource
Arts Council NI	NI Opera	561,569	2015/16	Resource
Arts Council NI	The Lyric Theatre (NI)	968,500	2015/16	Resource
Arts Council NI	Ulster Orchestra Society Ltd	1,779,568	2015/16	Resource
Arts Council NI	Crescent Arts Centre	226,800	2015/16	Resource
Arts Council NI	The Grand Opera House Trust	494,610	2015/16	Resource
Arts Council NI	Maria McManus	250	2015/16	Resource
National Museums NI	Ulster Museum	612,791	2015/16	Resource
DCAL	Irish Football Association	4,572,166	2015/16	Capital
Northern Ireland Screen	Cinemagic	9,500	2015/16	Resource
Northern Ireland Screen	QFT	14,250	2015/16	Resource
Libraries NI	Finaghy Library	56,194	2015/16	Resource
Libraries NI	Lisburn Road Library	54,642	2015/16	Resource
Libraries NI	Ormeau Road Library	57,134	2015/16	Resource
Libraries NI	Newtownbreda Library	41,085	2015/16	Resource
DCAL	Lagan Valley Regional Park	15,098	2015/16	Resource

**Mrs Dobson** asked the Minister of Culture, Arts and Leisure to detail the (i) capital; and (ii) resource costs associated with digitisation and online services within her Department and its arm's-length bodies in each of the last three years. (AQW 50057/11-16)

**Ms Ní Chuilín:** A table is attached which details capital and resource costs associated with digitisation and online services for the last three years, including the current year to date.

You should note that the costs allocated to Electronic Libraries cover the entire project which includes both internal and client facing services. It has not been possible to separate these.

Funder	Project Name	Financial Year	Amount	Capital / Resource
Foras na Gaeilge	www.focloir.ie - New English-Irish Dictionary	2013	€67,338.25	Resource
Foras na Gaeilge	www.teanglann.ie - Dictionary and Language Library	2013	€17,482	Resource
Foras na Gaeilge	corpas.focloir.ie - The New Corpus for Ireland	2013	€7,885	Resource
Foras na Gaeilge	www.tearma.ie - National Terminology Database for Irish	2013	€73,814	Resource
Foras na Gaeilge	www.gaeilge.ie ( Foras na Gaeilge Website)	2013	€6,384.75	Resource
Foras na Gaeilge	Suíomh Áis (Áis website)	2013	€2,614	Resource
Arts Council NI	Collection Online	2013/14	£4,800	Capital
Arts Council NI	Troubles Archive	2013/14	£28,250	Resource

<b>Funder</b>	<b>Project Name</b>	<b>Financial Year</b>	<b>Amount</b>	<b>Capital / Resource</b>
Arts Council NI	Troubles Archive	2013/14	£13,133	Capital
Arts Council NI	Domain Registrations	2013/14	£431	Resource
Arts Council NI	E-Newsletter	2013/14	£1,794	Resource
Arts Council NI	Online Grants	2013/14	£3,832	Resource
Arts Council NI	ACNI Website	2013/14	£324	Resource
Arts Council NI	Online Survey Software	2013/14	£2,997	Resource
DCAL/ PRONI	Web Archiving	2013/14	£11,070	Resource
DCAL/ PRONI	CALM (Public facing electronic ordering system)	2013/14	£7,001	Resource
DCAL/ PRONI	Street Directories (Public facing product)	2013/14	£4,740	Resource
DCAL/ PRONI	Digital Preservation Project	2013/14	£14,835	Capital
DCAL/ PRONI	Digital Preservation Project	2013/14	£20,215	Resource
DCAL	Líofa Website	2013/14	£54,260	Capital
Libraries NI	Electronic Libraries	2013/14	£4,858,036	Resource
Libraries NI	Online resources	2013/14	£310,481	Resource
Libraries NI	Electronic Libraries	2013/14	£6,904,000	Capital
Sport NI	Snap surveys - multiple apps including Tollymore Feedback Survey	2013/14	£2,032	Resource
Sport NI	Website Development	2013/14	£10,500	Resource
Northern Ireland Screen	Digital Film Archive	2013/14	£59,500	Resource
Northern Ireland Screen	Northern Ireland Screen Website	2013/14	£4,927	Resource
Armagh Planetarium	Website and Astronotes blog	2013/14	£27,000	Resource
Armagh Observatory	Armagh Observatory Website	2013/14	£26,800	Resource
Armagh Observatory	Web server	2013/14	£1,000	Capital
Northern Ireland Museums Council	Downpatrick and Co Down Railway Website development	2013/14	£2,100	Resource
Northern Ireland Museums Council	Inniskillings Museum Interpretation tablets	2013/14	£2,000	Resource
Northern Ireland Museums Council	Railway Preservation Society of Ireland Online Accession Register	2013/14	£1,625	Resource
Northern Ireland Museums Council	Somme Heritage Centre IT Upgrade for documentation management	2013/14	£2,603	Resource
Northern Ireland Museums Council	Flame Gasworks Museum IT Upgrade for documentation management	2013/14	£700	Resource
Libraires NI	Electronic Libraries	2013/14	£4,858,036	Resource
Libraires NI	Online resources	2013/14	£310,481	Resource
Libraires NI	Electronic Libraries	2013/14	£6,904,000	Capital
National Museums NI	Online services	2013/14	£22,757	Resource



<b>Funder</b>	<b>Project Name</b>	<b>Financial Year</b>	<b>Amount</b>	<b>Capital / Resource</b>
National Museums NI	Digitisation	2013/14	£9,806	Resource
Waterways Ireland	WI WEB Shop	2013/14	€ 2,063	Capital
DCAL	Ulster-Scots Language Society - Ulster-Scots tape transcription and Digitisation	2013/14	£22,150	Resource
DCAL	Ulster-Scots Language Society - Huddleston Manuscripts	2013/14	£19,256	Resource
DCAL	Gasyard Trust - The Plantation - Ulster-Scots and Irish View	2013/14	£7,509	Resource
DCAL	Coleraine Council - Sam Henry Collection	2013/14	£9,779	Resource
DCAL	Discover Ulster Scots Website	2013/14	£7,500	Resource
Ulster-Scots Agency	Hosting websites	2013/14	£3,875	Resource
Ulster-Scots Agency	Ulster-Scots Literary Collectors Project	2013/14	£9,000	Resource
Ulster-Scots Agency	Bannockburn Film	2013/14	£600	Resource
DCAL	Presbyterian Historical Society of Ireland - Digitisation of Presbyterian Journals	2013/14 2014/15	£16,390	Resource
Foras na Gaeilge	www.focloir.ie - New English-Irish Dictionary	2014	€52,082	Resource
Foras na Gaeilge	www.teanglann.ie - Dictionary and Language Library	2014	€11,315	Resource
Foras na Gaeilge	corpas.focloir.ie - The New Corpus for Ireland	2014	€11,525	Resource
Foras na Gaeilge	www.tearma.ie - National Terminology Database for Irish	2014	€37,661	Resource
Foras na Gaeilge	www.gaeilge.ie ( Foras na Gaeilge Website)	2014	€10,137	Resource
Foras na Gaeilge	Suíomh tairsigh (Portal site)	2014	€3,750	Resource
Foras na Gaeilge	Suíomh Áis (Áis website)	2014	€2,215	Resource
Arts Council NI	Troubles Archive	2014/15	£18,176	Resource
Arts Council NI	Troubles Archive	2014/15	£4,147	Capital
Arts Council NI	Composers Database	2014/15	£640	Resource
Arts Council NI	Domain Registrations	2014/15	£154	Resource
Arts Council NI	E-Newsletter	2014/15	£1,795	Resource
Arts Council NI	Online Grants	2014/15	£8,537	Resource
Arts Council NI	Online Survey Software	2014/15	£3,226	Resource
DCAL/ PRONI	Web Archiving	2014/15	£11,070	Resource
DCAL/ PRONI	CALM (Public facing electronic ordering system)	2014/15	£10,001	Resource
DCAL/ PRONI	Street Directories (Public facing product)	2014/15	£4,740	Resource
DCAL/ PRONI	Digital Preservation Project	2014/15	£20,640	Resource
DCAL/ PRONI	PRONI Web Applications	2014/15	£4,150	Resource
DCAL	Líofa Website	2014/15	£10,485	Capital
Libraries NI	Electronic Libraries	2014/15	£3,858,355	Resource
Libraries NI	Online resources	2014/15	£416,367	Resource

<b>Funder</b>	<b>Project Name</b>	<b>Financial Year</b>	<b>Amount</b>	<b>Capital / Resource</b>
Libraries NI	Digitisation pilot	2014/15	£4,320	Resource
Libraries NI	Electronic Libraries	2014/15	£2,116,000	Capital
Sport NI	IGAM (Internet Grant Application Module)	2013/14	£3,040	Resource
Sport NI	IGAM (Internet Grant Application Module)	2014/15	£3,545	Resource
Sport NI	Tollymore National Outdoor Centre website booking application	2014/15	£16,500	Capital
Sport NI	Website Development	2014/15	£9,000	Resource
Sport NI	Snap surveys - multiple apps including Tollymore Feedback Survey	2014/15	£2,032	Resource
Sport NI	Activ8 website	2014/15	£1,467	Resource
Northern Ireland Screen	Digital Film Archive	2014/15	£40,652	Resource
Northern Ireland Screen	Website	2014/15	£4,595	Resource
Armagh Planetarium	Website and Astronotes blog	2014/15	£27,000	Resource
Armagh Observatory	Armagh Observatory Website	2014/15	£26,000	Resource
Armagh Observatory	Digitising Maps	2014/15	£4,900	Resource
Armagh Observatory	Web server	2014/15	£1,000	Capital
Northern Ireland Museums Council	North Down Museum MODES Software	2014/15	£1,154	Resource
Northern Ireland Museums Council	Sentry Hill Digital Camera	2014/15	£245	Resource
Northern Ireland Museums Council	Mid-Antrim Museum Digital Projectors	2014/15	£7	Resource
Libraries NI	Electronic Libraries	2014/15	£3,858,355	Resource
Libraries NI	Online resources	2014/15	£416,367	Resource
Libraries NI	Digitisation pilot	2014/15	£4,320	Resource
Libraries NI	Electronic Libraries	2014/15	£2,116,000	Capital
National Museums NI	Online services	2014/15	£23,225	Resource
National Museums NI	Digitisation	2014/15	£10,700	Resource
DCAL	16 By 16 Project – Fishing Licenses	2014/15	£240,000	Capital
Waterways Ireland	Blueway website	2014/15	€ 4,151	Capital
DCAL	Ulster-Scots Online Academy	2014/15	£14,410	Capital
Ulster-Scots Agency	Hosting websites	2014/15	£5,053	Resource
Ulster-Scots Agency	Education: You tube shorts	2014/15	£2,250	Resource
Foras na Gaeilge	www.focloir.ie - New English-Irish Dictionary	2015	€36,956	Resource
Foras na Gaeilge	www.teanglann.ie - Dictionary and Language Library	2015	€8,969.75	Resource

<b>Funder</b>	<b>Project Name</b>	<b>Financial Year</b>	<b>Amount</b>	<b>Capital / Resource</b>
Foras na Gaeilge	corpas.focloir.ie - The New Corpus for Ireland	2015	€5,729	Resource
Foras na Gaeilge	www.tearma.ie - National Terminology Database for Irish	2015	€21,083	Resource
Foras na Gaeilge	www.gaeilge.ie ( Foras na Gaeilge Website)	2015	€2,071	Resource
Foras na Gaeilge	Suíomh tairsigh (Portal site)	2015	€612	Resource
Foras na Gaeilge	Suíomh Áis (Áis website)	2015	€991	Resource
DCAL/ PRONI	CALM (Public facing electronic ordering system)	2015/16	£7,300	Resource
DCAL/ PRONI	Web Archiving	2015/16	£10,033	Resource
DCAL	Líofa Website	2015/16	£2,000	Capital
Libraries NI	Electronic Libraries	2015/16	£1,681,188	Resource
Libraries NI	Online resources	2015/16	£203,467	Resource
Sport NI	IGAM (Internet Grant Application Module)	2015/16	£2,800	Resource
Sport NI	Snap surveys - multiple apps including Tollymore Feedback Survey	2015/16	£2,032	Resource
Sport NI	Website Development	2015/16	£9,000	Resource
Sport NI	Activ8 website	2015/16	£1,040	Resource
Northern Ireland Screen	Digital Film Archive	2015/16	£20,968	Resource
Northern Ireland Screen	British Film Institute Website	2015/16	£3,299	Resource
Armagh Planetarium	Website and Astronotes blog	2015/16	£31,800	Resource
Armagh Observatory	Armagh Observatory Website	2015/16	£27,200	Resource
Armagh Observatory	Web server	2015/16	£1,000	Capital
Libraries NI	Electronic Libraries	2015/16	£1,681,188	Resource
Libraries NI	Online resources	2015/16	£203,467	Resource
National Museums NI	Online services	2015/16	£5,811	Resource
National Museums NI	Digitisation	2015/16	£1,000	Resource
DCAL	16 By 16 Project – Fishing Licenses	2015/16	£10,000	Capital
DCAL	Fish Dealer's Licence Information Technology Health Check (ITHC)	2015/16	£1,668	Resource
Waterways Ireland	Sponsorship, Education, Archive micro site	2015/16	€ 7,500	Capital
DCAL	Ulster University - Education and Digitisation Project	2015/16	£5,000	Resource
Ulster-Scots Agency	Hosting websites	2015/16	£2,040	Resource
Arts Council NI	Online Grants	2015/16	£2,350	Resource
Arts Council NI	E-Newsletter	2015/16	£1,794	Resource
Arts Council NI	Domain Registrations	2015/16	£44	Resource

**Mr Weir** asked the Minister of Culture, Arts and Leisure what opportunities exist for community or sports groups to apply for funding for a minibus through the Tackling Poverty initiative in 2015-16.

**(AQW 50215/11-16)**

**Ms Ní Chuilín:** All of the activity supported by my Department is focussed on the Promoting Equality, Tackling Poverty and Social Exclusion (PETPSE) agenda, aimed at improving the lives of those most in need. This includes the activity undertaken directly by the Department and that of our Arm's Length Bodies.

In the current financial year 2015-16, there is no specific grant scheme administered by my Department with opportunities for community or sports groups to apply for funding for a minibus through the Tackling Poverty initiative.

In 2014/15 under the PETPSE agenda, the Department funded a pilot Community Minibus Scheme. The aim of the scheme was to provide transport to a range of community-based organisations that have been excluded from undertaking certain activities due to the unavailability or expense of transport.

The evaluation of this pilot scheme along with the availability of funding will determine if the scheme will be rolled out on a larger scale.

**Mr Weir** asked the Minister of Culture, Arts and Leisure for an update on the availability of funding for musical instruments for bands.

**(AQW 50219/11-16)**

**Ms Ní Chuilín:** The cuts imposed on the north are unprecedented and the consequences are unpalatable in every part of the Department's business. The shortfall in my Department's capital budget meant that the Arts Council was unable to introduce the Musical Instruments for Bands Scheme in April this year. The scheme remains on hold until funding can be secured.

As I have clarified previously, the Scheme has not been withdrawn and I remain committed to supporting it. I will continue to work to ensure that it is adequately supported and funded going forward.

**Mr Allister** asked the Minister of Culture, Arts and Leisure to detail (i) why Libraries NI board members receive remunerations whether they attend board meetings or not; and (ii) whether she will consider examining a linkage between attendance at meetings and remuneration.

**(AQW 50242/11-16)**

**Ms Ní Chuilín:** All Libraries NI board members have received remuneration for overseeing the work of the Authority, including attending Board meetings and other events, since the organisation was created in 2009. The purpose of remuneration is to encourage diversity in applications for membership of the Libraries NI Board and to reinforce the importance of the work the Board does in managing and promoting the public library service in the North of Ireland. Libraries NI also has a statutory obligation to remunerate its Chair and other Board members under Article 4, Schedule 1, of the Libraries Act (NI) 2008.

The question of establishing a linkage between attendance at Libraries NI Board meetings and remuneration has been, and is, the subject of ongoing consideration and examination. Previous considerations by my Department suggested that removal from the Board would be the most appropriate sanction for persistent non-attendance at meetings. Other options, including re-couping of salary and payment per meetings, are currently being considered as possible future control measures by Libraries NI in conjunction with DCAL. It is my view that a government wide policy on board member remuneration is needed. Any decision as to whether or not such a policy is required would ultimately be a matter for the Department of Finance and Personnel (DFP).

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure, pursuant to AQO 7498/11-15, for an update on the development of a business case aimed at securing resources for the development of a new public library in Enniskillen; and whether consideration has been given to the potential synergies from co-locating on a site with the South West College.

**(AQW 50270/11-16)**

**Ms Ní Chuilín:** Libraries NI is in the process of finalizing a draft business case aimed at securing resources for the development of a new and improved public library in Enniskillen. Due to a range of other emerging pressures and resource commitments, it is unlikely that this business case will be completed until early in the New Year.

As part of the business case development process, Libraries NI is considering whether or not synergies can be achieved by co-locating the Library with the South West College on the old Erne Hospital site. The same process, however, also requires that the benefits of any co-location be fully tested and evaluated alongside a range of other potential options. One of these is that the Library should remain at its existing site, which is readily accessible to the centre of Enniskillen, and where it has already built up a strong and valued presence in the community.

**Mr Allister** asked the Minister of Culture, Arts and Leisure to publish the attendance record of each board member of Libraries NI at board meetings in 2014-15.

**(AQW 50287/11-16)**



**Ms Ní Chuilín:** Libraries NI has published details of the attendance of Board members at its board meetings in 2014/15 in its Annual Report & Accounts for that year. These are set out on pages 53 and 54 of the document which is available on the Libraries NI website.

A copy of this table is set out below:

Name	Possible Attendance	Actual Attendance
Mr Nigel Macartney (Chairperson until 31 October 2014)	4	4
Professor Bernard Cullen (Chairperson from 1 November 2014)	2	2
Councillor Hubert Nicholl (Vice-Chairperson until 31 March 2015)	6	4
Councillor Mrs Anne Brolly (term of office ended 31 March 2015)	6	5
Councillor Tom Campbell (term of office ended 31 March 2015)	6	5
Councillor Charlie Casey (term of office ended 31 March 2015)	6	4
Councillor Sam Cole (term of office ended 31 March 2015)	6	6
Alderman Allan Ewart (term of office ended 31 March 2015)	6	0
Mrs Deirdre Kenny	6	6
Councillor Ms Carla Lockhart (term of office ended 31 March 2015)	6	1
Ms Angela Matthews	6	4
Mr Alastair McDowell	6	6
Councillor Séan McGuigan (term of office ended 31 March 2015)	6	6
Councillor John O'Kane (term of office ended 31 March 2015)	6	5
Mr Harry Reid	6	5
Councillor Mrs Evelynne Robinson (term of office ended 31 March 2015)	6	5
Alderman Jim Rodgers (term of office ended 31 March 2015)	6	4
Councillor Mrs Marion Smith (term of office ended 31 March 2015)	6	5
Dr Margaret Ward	6	5
Ms Jane Williams	6	6

**Mr Allister** asked the Minister of Culture, Arts and Leisure to outline her response to the Audit Office report criticising two board members of Libraries NI for their non-attendance at board meetings.  
(AQW 50288/11-16)

**Ms Ní Chuilín:** I accept the findings of the Audit Office's recently completed report into the 2014/15 financial statement of Libraries NI as well as Libraries NI's management response to that report. I consider the level of non-attendance at Board meetings of two Board members in 2014/15, as described in the report, to be unsatisfactory. This level of attendance is out of step with that of the majority of Board members who in 2014/15 provided, and continue to provide, a dedicated service that supports Libraries NI's excellent work in the community.

**Mr Weir** asked the Minister of Culture, Arts and Leisure to list the organisations in North Down that have received funding through the Cultural Programme in each of the last three years.  
(AQW 50340/11-16)

**Ms Ní Chuilín:** The organisations in receipt of funding through the culture programme in each of the last three years were not based in North Down.

The first Cultural Programme in 2013 was established to complement the World Police and Fire Games which were taking place in Belfast. The 2014 Cultural Programme also took place in Belfast.

In 2015, my Department will support another Cultural Programme which will be a cross community programme of arts and cultural events and festivals delivered by Cultural Partners from right across Belfast and also for the first time from a rural area.

**Mr Wells** asked the Minister of Culture, Arts and Leisure what steps she has taken to recognise the recent success of the Northern Ireland football team.  
(AQW 50404/11-16)

**Ms Ní Chuilín:** I was delighted with the NI Team's recent success in qualifying as group winners for the UEFA European Championship Finals in France next year.

To recognise this success, I issued a Press Release on 8 October to publically congratulate the team on their fantastic achievement.

I also wrote to Patrick Nelson, CEO, Irish Football Association (IFA), on 28 October to congratulate the team and officials of the IFA on their success and to invite them to DCAL's annual Celebration of Sport event in Enniskillen on 9 March 2016.

Furthermore, at Oral Question Time on 3 November, I again congratulated manager Michael O'Neill and the team on securing a place at the Finals in France in 2016 and stated that I had invited officials of the IFA and the players to take part in the Celebration of Sport event.

I look forward to the tournament in France next year and wish the team every continued success in the Championship Finals.

**Mr Agnew** asked the Minister of Culture, Arts and Leisure how much funding has been donated by patrons to museums in each of the last three years.

**(AQW 50450/11-16)**

**Ms Ní Chuilín:** My Department's investment in the museums sector is primarily directed to National Museums and the NI Museums Council (NIMC). The NIMC has not received any financial donations during the last three years.

The funding which has been donated by patrons to National Museums (i.e. money received from donation boxes) in each of the last three years is as follows:

Year	Amount Donated(£)
2012/13	£22,184
2013/14	£39,035
2014/15	£65,793
<b>Total</b>	<b>£127,012</b>

**Mr McCausland** asked the Minister of Culture, Arts and Leisure (i) when the business case for the Cultural Programme for 2014-2015 was received by her Department; (ii) when it was signed off; and (iii) by whom it was signed off.

**(AQW 50559/11-16)**

**Ms Ní Chuilín:** A bid was submitted on 6th June 2014 through June monitoring for the Executive to support a Cultural Programme in 2014/2015.

As June Monitoring was significantly delayed in 2014, a final business case was signed off by the then Director of Culture on 5th December 2014.

The Committee was advised about the proposed bid for the 2014/2015 Cultural Programme on 5th June 2014.

## Department of Education

**Mrs Dobson** asked the Minister of Education to detail the (i) capital; and (ii) resource costs associated with digitisation and online services within his Department and its arm's-length bodies in each of the last three years.

**(AQW 49772/11-16)**

**Mr O'Dowd (The Minister of Education):** The costs incurred on the transformation and delivery of citizen facing digital services within my Department and its ALBs are given in the table below. The figures for 2015/16 are based upon expenditure to date.

	2013-2014	2014-2015	2015-2016
DE Capital	0	183,000	85,000
DE Resource	276,000	349,990	93,000
ALB Capital	34,000	8,015	0
ALB Resource	266,216	250,929	78,921

**Mr Byrne** asked the Minister of Education how many (i) schools in West Tyrone had accommodation issues raised by the Education and Training Inspectorate in the last three years; and (ii) of these issues are still outstanding.

**(AQW 49842/11-16)**

**Mr O'Dowd:** Nine (9) schools in West Tyrone had accommodation issues raised by the Education and Training Inspectorate in the last three years and of these six (6) are still outstanding, which include ongoing works, or works planned to proceed once the necessary funding is secured.

Some of the issues highlighted by ETI, however, may be able to be addressed directly by the school, in conjunction with the Education Authority. Other works may require a longer term solution.

**Mr Weir** asked the Minister of Education when he will publish his Department's policy for Looked After Children.  
(AQW 49928/11-16)

**Mr O'Dowd:** My officials are liaising with the Health Department to consider how we can work together effectively for the benefit of children in care. I am also keen that we continue to listen to the voice of young people in care so that we get it right in relation to improving their educational experience and outcomes. This experience should be no less than that of any other young person.

I am aware of the upcoming OECD case study report in relation to improving the educational outcomes for Looked After Children, and I will want to take the findings into account, along with continued collaborative work with the Health Department.

My officials will continue to develop our policy into 2016 for implementation in the 2016/17 school year. I am determined to get it right in terms of supporting and nurturing children in care in an educational setting.

**Mr Dallat** asked the Minister of Education to detail the (i) number of teachers in primary and post-primary schools suspended from work in the last five years; and (ii) number of teachers (a) that were reinstated; (b) that resigned; and (c) that were dismissed.

(AQW 49983/11-16)

**Mr O'Dowd:** The Department of Education does not employ teachers, and as such is not directly involved in employment matters, including the precautionary suspension of teachers. Teachers are employed by the relevant Board of Governors (BoG) for each school setting. Decisions on precautionary suspension are therefore a matter for the BoG, in conjunction with the relevant employing authority.

Teachers can be placed on precautionary suspension by the BoG, the Chairperson of the BoG or the Principal for any of the following reasons:

- an allegation of misconduct which requires to be investigated; or
- an allegation of a child protection nature; or
- on medical or health and safety grounds awaiting a referral to an Occupational Health physician.

The decision to place a teacher on precautionary suspension, without prejudice, should only be taken after careful consideration and where it is deemed absolutely necessary.

Details of the (i) number of teachers in primary and post-primary schools suspended from work in the last five years; and (ii) number of teachers (a) that were reinstated; (b) that resigned; and (c) that were dismissed are shown in the tables below as provided by the Education Authority and the Council for Catholic Maintained Schools.

(i) Number of teachers in primary and post-primary schools suspended from work in the last five years:

Financial Years	Primary Schools	Post-Primary Schools	Total
2010/11	8	10	18
2011/12	14	8	22
2012/13	22	10	32
2013/14	14	14	28
2014/15	10	13	23
<b>Total</b>	<b>68</b>	<b>55</b>	<b>123</b>

**Notes:**

- Information is not available in relation to Voluntary Grammar Schools and Grant Maintained Integrated Schools.
- Some suspensions will transcend more than one financial year.
- Figures are in financial years.

(ii) Number of teachers: (a) that were reinstated; (b) that resigned; and (c) that were dismissed:

Number of Teachers Reinstated	Number of Teachers who Resigned	Number of Teachers Dismissed
95	51	6

**Notes:**

- Information is not available in relation to Voluntary Grammar Schools and Grant Maintained Integrated Schools.
- 1 One Teacher Retired.

**Mr Dallat** asked the Minister of Education to detail the cost of (i) salaries; (ii) pension contributions; (iii) National Insurance contributions paid; and (iv) legal expenses associated with teachers suspended from work in the last five years.

**(AQW 50007/11-16)**

**Mr O'Dowd:** The Department of Education does not employ teachers, and as such is not directly involved in employment matters, including the precautionary suspension of teachers. Teachers are employed by the relevant Board of Governors (BoG) for each school setting. Decisions on precautionary suspension are therefore a matter for the BoG, in conjunction with the relevant employing authority.

Teachers can be placed on precautionary suspension by the BoG, the Chairperson of the BoG or the Principal for any of the following reasons:

- an allegation of misconduct which requires to be investigated; or
- an allegation of a child protection nature; or
- on medical or health and safety grounds awaiting a referral to an Occupational Health physician.

The decision to place a teacher on precautionary suspension, without prejudice, should only be taken after careful consideration and where it is deemed absolutely necessary.

Details on the cost of (i) salaries; (ii) pension contributions; and (iii) National Insurance Contributions paid to teachers suspended from work in the last five years are outlined in the table below. The information required to answer these questions has been taken from the Teachers' Pay and Pensions Team payroll system. However, Voluntary Grammar schools are excluded because the Department does not pay these teachers.

<b>Financial Years</b>	<b>Gross Salary Costs £</b>	<b>Pension Contribution Costs £</b>	<b>National Insurance Costs £</b>	<b>Total £</b>
2010/11	503,246.15	68,349.93	40,094.37	611,690.45
2011/12	517,564.29	70,362.63	44,393.60	632,320.52
2012/13	594,999.26	80,314.83	51,654.05	726,968.14
2013/14	797,738.39	107,980.49	69,273.53	974,992.41
2014/15	1,040,167.25	141,372.98	90,900.47	1,272,440.70
<b>Total</b>	<b>3,453,715.34</b>	<b>468,380.86</b>	<b>296,316.02</b>	<b>4,218,412.22</b>

**Notes:**

- Figures do not include Voluntary Grammar Schools
- Figures are in financial years

Details on the cost of (iv) legal expenses associated with teachers suspended from work in the last five years is not available, as this information is not presently collated by Employing Authorities or the Department.

**Ms McCorley** asked the Minister of Education for a breakdown of any investment, including capital his Department has made in West Belfast since May 2011.

**(AQW 50087/11-16)**

**Mr O'Dowd:** The information requested is detailed in the table below.

	<b>2011/12 £</b>	<b>2012/13 £</b>	<b>2013/14 £</b>	<b>2014/15 £</b>	<b>Total £</b>
Capital	9,204,467	11,868,741	10,031,615	8,828,255	39,933,078
Maintenance	4,224,368	5,131,836	4,952,679	1,372,413	15,681,296
Other*	110,658,431	109,489,589	113,232,191	114,378,517	447,758,728
<b>Total</b>	<b>124,087,266</b>	<b>126,490,166</b>	<b>128,216,485</b>	<b>124,579,185</b>	<b>503,373,102</b>

\* includes spend on schools, school meals kitchens, youth clubs, transport, Sure Start, special needs etc.



**Mr Easton** asked the Minister of Education to detail the number of local Integrated schools.

**(AQW 50102/11-16)**

**Mr O'Dowd:** A breakdown of integrated schools in 2015/16 is as follows:

	Primary	Post-primary	Total
Controlled integrated	20	5	25
Grant maintained integrated	23	15	38
<b>Total integrated</b>	<b>43</b>	<b>20</b>	<b>63</b>

**Source:** NI school census

**Mr Easton** asked the Minister of Education to detail how much of his Department's budget has been assigned to the Catholic Maintained sector in each of the last five financial years.

**(AQW 50145/11-16)**

**Mr O'Dowd:** The amount of my Department's budget that has been assigned to the Catholic Maintained Sector in each of the last five financial years is detailed in the table below:

	2010-11 £000s	2011-12 £000s	2012-13 £000s	2013-14 £000s	2014-15 £000s
Capital	16,251	26,542	27,155	22,272	54,866
Resource 1	430,9312	427,8652	425,386	424,963	435,1623

- 1 Resource figures include funding relating to the Council for Catholic Maintained Schools (CCMS), the aggregated schools budget, earmarked funds delegated to schools and funds delegated to schools from block grant.
- 2 Figures include CCMS Voluntary Severance Funding of £460k and £687k in 2010-11 and 2011-12 respectively.
- 3 Figures include Transitional Funding where applicable.

The Education Authority (former Education and Library Boards) also receive an annual block grant allocation, however, excluding delegated funds noted above, block grant is generally not assigned to Schools, therefore it is not possible for the Education Authority (EA) to identify the element of block grant budget that is attributable to the Catholic Maintained Sector.

**Mr McKay** asked the Minister of Education to detail the investment (i) allocated to St Louis, Ballymena in the last two financial years; and (ii) planned for St Louis, Ballymena in the next two financial years.

**(AQW 50196/11-16)**

**Mr O'Dowd:** I announced the School Enhancement Programme scheme for St Louis Ballymena in March 2014 representing a planned investment of £4.0m. The final designs have been approved and the scheme is currently 3rd on the list of prioritised schemes, held pending availability of capital funds for the construction works. To date £82k has been grant aided for design services associated with this project.

In addition during 2014/15 and 2015/16 a number of minor works have been approved for St Louis valued at £515,086.30. These include kerbs, canteen refurbishment, kerbing and pavements, 4 replacement mobiles and photovoltaic panels

Approval in principal was issued on 13 March 2015 for provision of a modular canteen to progress at an estimated cost of £800,000 however the EA has recently advised that following additional consideration the preferred option is to provide a permanent build canteen at an additional £200k.

Fire Risk Assessment Works have also been approved to proceed to pre-tender stage. As construction costs are estimated at £1m a business case is required to justify expenditure above the minor works threshold of £500k. The scheme can only progress to construction should additional budget become available.

A number of other minor works have been submitted by the school including refurbishment of home economics accommodation.

Until budgets for future years are confirmed for Education, I am unable to confirm capital investment figures for 2016/17 and 2017/18.

**Mr McKay** asked the Minister of Education what investment is planned for Ballymena Nursery School to improve the health and safety of pupils.

**(AQW 50198/11-16)**

**Mr O'Dowd:** Ballymena Nursery School (NS) is a controlled nursery school and as such the Education Authority (EA) has responsibility for it. The EA fully appreciates the needs of the school and has been progressing works related to the health and safety of pupils as a priority within available resources. This has included completion of four schemes with a high

Disability Discrimination Act priority for specific pupils. Further funding for minor works has been made available and this will enable nine further schemes to be progressed in this financial year to address urgent health & safety issues at the school.

**Mr Agnew** asked the Minister of Education to detail the (i) actual; and (ii) approved intake numbers for each post-primary school in Omagh in the last three academic years.

**(AQW 50245/11-16)**

**Mr O'Dowd:** Actual year 8 enrolments and approved admissions figures for post-primary schools in the former Omagh LGD for the last three years can be found overleaf.

	2012/13		2013/14		2014/15	
	Year 8 enrolments	Approved admissions	Year 8 enrolments	Approved admissions	Year 8 enrolments	Approved admissions
Christian Brothers' Grammar School	139	135	136	135	137	135
Dean Maguirc College	86	80	82	80	80	80
Drumragh Integrated College	110	96	111	96	105	96
Loreto Grammar School	127	125	126	125	126	125
Omagh Academy	95	95	95	95	99	95
Omagh High School	55	100	62	100	66	100
Sacred Heart College, Omagh	147	170	117	170	107	170
St John's College	31	90	36	90	28	90

**Source:** NI school census

**Notes:**

- 1 Most recent figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 2 An approved admissions number is the number of year 8 pupils a school can admit. Please note that the number of unfilled places in year 8 is not the difference between the approved and actual admissions; statemented children and children admitted by appeal or by direction of the ECB are supernumerary. A school can only exceed this number with the permission of the Department.

**Mr McKay** asked the Minister of Education to detail the number of children that have been waiting over twelve months for Special Educational Needs or autism assessments.

**(AQW 50266/11-16)**

**Mr O'Dowd:** The Education Authority has advised that it does not collect information on categorisation of special educational need (SEN) until the statement of special educational needs is complete.

With regard to all categories of SEN there were twenty children who were waiting for more than 12 months for their statutory assessment of SEN to be completed as at 30 October 2015.

**Mr McKay** asked the Minister of Education to detail the number of pupils that have received an Autism Spectrum Disorder statement, broken down by constituency in each of the last three years.

**(AQW 50272/11-16)**

**Mr O'Dowd:** The Education Authority has advised that the information is not available by constituency.

The number of pupils who have received a statement of special educational needs and whose primary special educational need is Autism in each of the last three academic years, broken down by region, is as follows:

	2012/13	2013/14	2014/15
Belfast	111	138	73
North Eastern	27	40	54
South Eastern	111	101	135
Southern	58	55	45

	2012/13	2013/14	2014/15
Western	36	64	65
<b>Total</b>	<b>343</b>	<b>398</b>	<b>372</b>

**Mr Flanagan** asked the Minister of Education for an update on the future configuration of Maintained post-primary schools in Enniskillen.

**(AQW 50281/11-16)**

**Mr O'Dowd:** As the managing authority for maintained schools, it is the Council for Catholic Maintained Schools (CCMS) role to manage provision and bring forward Development Proposals (DPs) relating to maintained schools in the Enniskillen area.

To date no DPs have been brought forward for maintained post-primary schools in Enniskillen. I have been advised that CCMS are conducting a pre consultation on the future of post-primary education in the Enniskillen area, reflecting the commitment in the former WELB Strategic Area Plan published in January 2015.

**Mr Weir** asked the Minister of Education to detail any post-primary school with fewer than 300 pupils enrolled in 2014-15; and in each case the number of pupils enrolled.

**(AQW 50292/11-16)**

**Mr O'Dowd:** There are 28 post-primary schools with fewer than 300 pupils. They are as follows:

Aughnacloy College	153
Blackwater Integrated College	213
City Armagh High School	248
Coleraine College	232
Crumlin Integrated College	107
Drumcree College	181
Dundonald High School	241
Immaculate Conception College	42
Knockbreda High School	266
Movilla High School	286
Newtownabbey Community High School	188
Newtownhamilton High School	167
Our Lady of Lourdes High School	227
St Aidan's High School	176
St Brigid's Boys' High	106
St Columban's College	154
St Columba's College	183
St Eugene's College, Roslea	78
St John's College	177
St Joseph's College, Coleraine	292
St Joseph's College, Enniskillen	266
St Mary's High School, Brollagh	109
St Mary's Secondary School, Irvinestown	150
St Patrick's College, Banbridge	291
St Patrick's College, Dungiven	262
St Paul's College	292
Tandragee Junior High School	282
The High School Ballynahinch	202

**Source:** NI school census

**Mr Weir** asked the Minister of Education, pursuant to 49903/11-16, to detail any school with less than 75 pupils; and in each case the number of pupils enrolled.

**(AQW 50293/11-16)**

**Mr O'Dowd:** There are 160 primary schools with fewer than 75 pupils in 2014/15. They are as follows:

Aghadrumsee Primary School	36
Altayiskey Primary School	29
Altishane Primary School	21
Anamar Primary School	39
Annsborough Primary School	54
Armoy Primary School	68
Aughamullan Primary	61
Ballycarry Primary School	64
Ballyhackett Primary School	43
Ballylifford Primary School	60
Ballymacward Primary School	55
Ballytober Primary School	71
Barnish Primary School	57
Bellaghy Primary School	55
Bellarena Primary School	36
Belleek Primary School	40
Brookeborough Primary School	63
Bunscoil an Traonaigh	38
Carhill Integrated Primary School	66
Carnalbanagh Primary School	37
Carnlough Controlled Integrated Primary School	28
Carntall Primary School	73
Carr Primary School	60
Castlewellan Primary School	58
Churchill Primary School	60
Churchtown Primary School	31
Clintyclay Primary School	31
Cloughmills Primary School	67
Craigbrack Primary School	17
Crievagh Primary School	32
Culnady Primary School	26
Darkley Primary School	69
Denamona Primary School	55
Derrygonnelly Primary School	48
Desertmartin Primary School	19
Donaghmore Primary School	71
Down High School Prep Dept	24
Drelincourt Infants School	28
Dromore Primary School	39



Dromore Road Primary School	70
Drumduff Primary School	43
Drumlish Primary School	56
Drumsallen Primary School	32
Dunclug Primary School	68
Duneane Primary School	39
Dunmullan Primary School	36
Envagh Primary School	12
Erganagh Primary School	38
Evish Primary School	43
Foley County Primary School	50
Gaelscoil an Lonnain	51
Gaelscoil Aodha Rua	67
Gaelscoil Eoghain	67
Gaelscoil Leim an Mhadaidh	53
Gaelscoil na Daroige	69
Gaelscoil Na mBeann	40
Gaelscoil na Spéiríní	41
Gillygooley Primary School	28
Glenann Primary School	62
Glenlola Collegiate Prep Dept	65
Gortin Primary School	52
Gortnagarn Primary School	19
Groarty Primary School	34
Kilcoan Primary School	43
Killyhommon Primary School	62
Killylea Primary School	65
Kilross Primary School	42
Kingsmills Primary School	54
Kirkinriola Primary School	35
Knocknagin Primary School	43
Knocknagor Primary School	61
Lack Primary School	62
Landhead Primary School	63
Langfield Primary School	34
Lisfearty Primary School	40
Listress Primary School	26
Longstone Primary School	37
Loughash Primary School	33
Loughries Primary School	68
Magheralough Primary School	35
Mallusk Primary School	10

Milltown Primary School	48
Moneynick Primary School	60
Newmills Primary School	71
Newtownbutler Primary School	59
Newtownhamilton Primary School	61
Newtownstewart Model Primary School	64
Portaferry Integrated Primary School	63
Queen Elizabeth II Primary School, Omagh	39
Queen Elizabeth II Primary School, Pomeroy	37
Rasharkin Primary School	65
Roscavey Primary School	51
Royal School	40
Sacred Heart Primary School, Dundrum	69
Scarva Primary School	67
Seaview Primary School, Glenarm	37
St Aidan's Primary School Magilligan	46
St Anne's Primary School, Ballymena	72
St Anne's Primary School, Donaghadee	49
St Anthony's Primary School, Larne	72
St Anthony's Primary School, Limavady	14
St Brigid's Primary School, Altamuskin	63
St Brigid's Primary School, Augher	21
St Brigid's Primary School, Cloughmills	62
St Brigid's Primary School, Cranagh	30
St Brigid's Primary School, Mountfield	31
St Caolan's Primary School	68
St Ciaran's Primary School	53
St Eugene's Primary School, Tyrcur	22
St Eugene's Primary School, Victoria Bridge	62
St Francis of Assisi, Drumnabey Primary School	16
St James' Primary School, Drumatee	24
St John the Baptist Primary School, Enniskillen	52
St John's Primary School, Eglish	44
St Joseph's Primary School, Ballycruttle	52
St Joseph's Primary School, Caledon	43
St Joseph's Primary School, Glenmornan	38
St Joseph's Primary School, Killough	58
St Joseph's Primary School, Strangford	43
St Joseph's Primary School, Tyrella	72
St Laurence O'Toole's Primary School	59
St Macartan's Primary School, Clogher	56
St Macartan's Primary School, Dromore	15

St Macnisius' Primary School	34
St Malachy's Primary School, Ballymoyer	69
St Malachy's Primary School, Drumullan	54
St Malachy's Primary School, Glencull	42
St Malachy's Primary School, Kilclief	72
St Mary's Primary School, Gortnaghey	54
St Mary's Primary School, Brookeborough	52
St Mary's Primary School, Cargan	67
St Mary's Primary School, Comber	62
St Mary's Primary School, Fivemiletown	36
St Mary's Primary School, Glassdrumman	50
St Mary's Primary School, Rathlin	7
St Mary's Primary School, Saintfield	74
St Matthew's Primary School, Garvaghey	33
St Michael's Primary School, Clady	49
St Michael's Primary School, Finnis	69
St Michael's Primary School, N'hamilton	58
St Olcan's Primary School	74
St Olivers' Primary School, Carrickravaddy	60
St Patrick's Primary School, Aughadarragh	70
St Patrick's Primary School, Castlewellan	62
St Patrick's Primary School, Donemana	37
St Patrick's Primary School, Gortin	73
St Patrick's Primary School, Portrush	71
St Paul's Primary School, Ahoghill	41
St Peter's & St Paul's Primary School	40
St Peter's Primary School, Plumbridge	69
St Teresa's Primary School, Tullyherron	38
Stewartstown Primary School	41
Straidhavern Primary School	50
Tattygar Primary School	64
Tildarg Primary School	74
Tir-na-Nog Primary School	27
Tobermore Primary School	64
Tullycarnet Primary School	74
Tummery Primary School	45
Upper Ballyboley Primary School	44

**Source:** NI school census

**Notes:**

- 1 Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 2 Figures for primary includes nursery, reception and year 1 - 7 classes.

**Mr Weir** asked the Minister of Education to detail (i) the primary schools closed in each of the last three years; and in each case (ii) the number of pupils enrolled when the decision was taken to close the school.

**(AQW 50294/11-16)**

**Mr O'Dowd:** A list of the schools closed in the last three years can be found below, with the enrolments in the October of the academic year in which the decision was taken to close the school:

School name <sup>2</sup>	Date when decision was made to close school	Enrolments in October of the academic year in which the decision was taken to close the school
St Clare's Convent Primary School <sup>1</sup>	Jun-97	473
St Colman's Abbey Primary School <sup>1</sup>	Jun-97	477
Edmund Rice (CB) Primary School <sup>1</sup>	30/04/2012	271
Star of the Sea Girls' Primary School <sup>1</sup>	30/04/2012	285
St Aidan's Christian Brothers Primary School <sup>1</sup>	30/04/2012	152
St Bernadette's Primary School, Belfast <sup>1</sup>	30/04/2012	133
Ballygolan Primary School	18/03/2013	81
St Eugene's Primary School, Enniskillen	10/05/2013	20
Bridgehill Primary School	14/05/2013	28
Cullycapple Primary School	29/05/2013	20
Drumard Primary School	29/05/2013	13
Clontifleece Primary School	20/08/2013	34
St Luke's Primary School, Belfast <sup>1</sup>	28/11/2013	208
St Mark's Primary School, Belfast <sup>1</sup>	28/11/2013	381
Barrack Street Boys' Primary School <sup>1</sup>	09/12/2013	215
St Anne's Primary School, Strabane <sup>1</sup>	09/12/2013	234
St Macartan's Primary School, Omagh	24/06/2014	18
Down High School Prep Dept	07/07/2014	32
Craigbrack Primary School	14/08/2014	24
St Francis of Assisi, Drumnabey Primary School	30/09/2014	15
Envagh Primary School	01/10/2014	223
Crievagh Primary School	13/01/2015	32
St Anthony's Primary School, Limavady	10/03/2015	14
Avoniel Primary School	14/05/2015	199

**Source:** NI school census

**Notes:**

- 1 Schools closed as part of an amalgamation
- 2 Figures for primary includes nursery, reception and year 1 - 7 classes.
- 3 Enrolment figures are as per the 2012/13 academic year

**Mr Weir** asked the Minister of Education, pursuant to AQW 49926/11-16, for each primary school listed, to detail the number of pupils in nursery or reception classes connected to the primary schools in (i) 2010-11; and (ii) 2014-15.

**(AQW 50295/11-16)**



**Mr O'Dowd:** The table below details the number of pupils attending nursery units or reception classes in primary schools in North Down:

	(i) 2010/11	(ii) 2014/15
Ballyholme Primary School	-	-
Ballymagee Primary School	-	30
Ballyvester Primary School	-	-
Bangor Central Primary School	-	-
Bloomfield Primary School	52	52
Clandeboy Primary School	-	-
Connor House Preparatory School	-	N/A
Crawfordsburn Primary School	-	-
Donaghadee Primary School	52	51
Glencairn Integrated Primary School	-	-
Glenlola Collegiate	-	-
Grange Park Primary School	-	-
Hollywood Primary School	-	-
Kilcooley Primary School	26	30
Kilmaine Primary School	52	55
Millisle Primary School	31	27
Rathmore Primary School	52	52
Redburn Primary School	-	N/A
St Anne's Primary School	-	-
St Comgall's Primary School	8	-
St Malachy's Primary School	52	52
St Patrick's Primary School	6	-
Sullivan Upper School	-	-
Towerview Primary School	52	53

**Source:** NI school census

**Notes:**

'-' denotes there are no nursery or reception classes at the school.

N/A indicates a closed school.

**Mr Dickson** asked the Minister of Education to detail the expected timeframe for the passage of the Shared Education Bill.  
(AQW 50300/11-16)

**Mr O'Dowd:** The Shared Education Bill was introduced to the Assembly on 2 November 2015 and second stage is scheduled for 10 November. The Committee stage would commence immediately thereafter and providing there is not an extension to this stage, I would anticipate the Consideration stages taking place during February with the Final stage in early March.

**Mr Dickson** asked the Minister of Education whether his Department intends to formally mark the European Day on the Protection of Children Against Sexual Exploitation and Abuse.  
(AQW 50301/11-16)

**Mr O'Dowd:** My Department has made the European Day on the 'Protection of Children against Sexual Exploitation and Abuse' the subject of the November 'Message of the Month' to mark the launch. The 'Message of the Month' forms part of the i-Matter programme, which aims to address issues relating to emotional health and wellbeing.

My Department continues to engage with schools to share information and advice on the issue of child sexual exploitation. I recently published my Department's progress report on the CSE Action Plan, following the Marshall Report. In August 15 I issued new guidance for schools on Relationship and Sexuality Education (RSE) and Drugs Education, this guidance

references the recent inquiries into child sexual exploitation and provides an opportunity for schools to play a preventative role by improving awareness amongst staff of the vulnerability factors and current indicators of child sexual exploitation.

**Mr Agnew** asked the Minister of Education what action he is taking to address the accommodation issues at Enniskillen Integrated Primary School.

**(AQW 50327/11-16)**

**Mr O'Dowd:** I am pleased to confirm I have given approval for a 2 classroom extension at Enniskillen Integrated Primary School to proceed under the Minor Capital Works Programme. The Education Authority is currently drawing up detailed design and specification to enable works to proceed to tender.

**Mr Agnew** asked the Minister of Education for an update on the new Controlled sector body.

**(AQW 50328/11-16)**

**Mr O'Dowd:** Work is progressing to establish the Controlled Schools' Support Council (CSSC) as agreed by the Executive in September 2014. A contract for funding is being prepared and will shortly be issued to enable the CSSC to be formally established.

In the interim period, my Department continues to provide funding to support the Working Group to oversee the establishment of the CSSC. This funding will continue until the Council is established.

**Mrs D Kelly** asked the Minister of Education, given the limited response from schools in reporting Levels of Progression, whether his Department is considering other methods of measuring educational attainment.

**(AQO 9005/11-16)**

**Mr O'Dowd:** The statements that make up the Levels of Progression flow from our revised curriculum and focus not just on knowledge but on skills and their application. They are closely and deliberately aligned to our curriculum. They were developed with input from teachers and other educational professionals and the current system of assessment was passed into legislation by the Assembly following scrutiny by the Education Committee.

Despite the challenges relating to the implementation of the current arrangements, I have not heard a compelling case for a different approach. In fact, the main teaching unions and I are in agreement that teacher judgement of pupils' progress and achievement in the areas of our curriculum remains the best way forward. Equally, when it reviewed our arrangements in 2013, the OECD called on us not to change them but to consolidate and build consensus around them.

So Key-Stage outcomes will continue to be an important aspect of performance measurement at system level. However, they cannot be the only means we use of measuring the performance of either our system or the schools within it. That is why work is underway to look at the potential to develop a wider range of performance and contextual information (a 'dashboard' of measures) which could be used to enhance understanding of the performance of our education system.

**Mr Weir** asked the Minister of Education to detail the schools in North Down that have received Extended Schools Funding in each of the last three years.

**(AQW 50347/11-16)**

**Mr O'Dowd:** The required information is set out in the table below.

Schools located in the North Down constituency eligible to receive Extended Schools (ES) funding	2013/14	2014/15	2015/16
Clandeboyne Primary School	Eligible	Eligible	Eligible
Millisle Primary School	Eligible	Eligible	Eligible
Bloomfield Primary School	Eligible	Eligible	Eligible
Kilcooley Primary School	Eligible	Eligible	Eligible
St Anne's Primary School, Donaghadee	Not eligible	Not eligible	Eligible
St Malachy's Primary School, Bangor	Eligible	Eligible	Buffer Zone*
Priory College	Not eligible	Not eligible	Eligible
Killard House Special School	Eligible	Eligible	Eligible
Bangor Central Nursery School	Not Eligible	Not eligible	Eligible

\*School fell just short of ES qualifying thresholds but was entitled to receive partial (50%) allocation.

**Mr Lyons** asked the Minister of Education to detail the percentage of pupils with Special Educational Needs statements in (a) Controlled; (b) Maintained; (c) Integrated; and (d) Irish-medium schools.  
(AQW 50349/11-16)

**Mr O'Dowd:** The percentage of statemented pupils in 2014/15 broken down by school type is as follows:

	(a) Controlled	(b) Maintained	(c) Integrated	(d) Irish medium schools
Primary schools	2.9%	2.9%	3.3%	1.7%
Post-primary schools	4.1%	6.4%	8.1%	3.6%
Nursery schools	1.2%	1.4%	-	-
Total (excluding Special schools)	3.3%	4.0%	5.9%	2.0%
Special schools	94.5%	97.3%	-	-
<b>Total (including Special schools)</b>	<b>6.5%</b>	<b>4.2%</b>	<b>5.9%</b>	<b>2.0%</b>

**Source:** NI school census

**Notes:**

- 3 Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 4 Figures include pupils at stage 5 on the Special Educational Needs Code of Practice.
- 5 Pupils in primary schools include those in nursery, reception and year 1-7 classes.
- 6 Maintained schools refers to both Catholic Maintained and Other Maintained schools
- 7 Integrated schools refers to both Controlled Integrated and Grant Maintained Integrated schools. Controlled Integrated schools have not been included in the total for Controlled schools.
- 8 As Irish medium schools are not a school management type like the other categories, statemented pupils in Irish medium schools have also been included in the Controlled and Maintained figures.

**Mr Hazzard** asked the Minister of Education what steps his Department has taken in each of the last five years to address (i) educational inequalities; (ii) educational underachievement; and (iii) the effects of poverty on the learning process.  
(AQW 50366/11-16)

**Mr O'Dowd:** Since coming to office I have been determined to take action to break the link between social disadvantage and educational underachievement wherever it exists.

I have the correct policies such as 'Every School a Good School' and the 'Literacy and Numeracy Strategy' in place and these are being implemented with renewed vigour.

I have provided additional resources to schools serving those most at risk of underachieving, through the weighting of school funding, and through targeted programmes such as Extended Schools, the Full Service Programmes and Nurture Units.

Funded programmes have been implemented to improve literacy and numeracy outcomes including the Delivering Social Change (DSC) Literacy and Numeracy Signature programme; the Special Educational Needs Literacy CPD project and the Strategic Development Fund to Area Learning Communities. A Legacy Programme will continue the success of the DSC Literacy and Numeracy Signature programme.

I have also provided funding to support programmes aimed at improving school-community links. These include the Community Education Initiatives Programme and the Greater West Belfast Community Project. In addition, the Education Works programme launched in 2012 highlights the vital role parents can play in helping their child do well at school and improve their life chances.

Other programmes that are impacting positively on addressing educational inequalities and educational underachievement include the revised SEN and Inclusion framework; the full implementation of the Entitlement Framework; Sure Start; the Early Years fund; the Achieving Belfast and Achieving Derry-Bright Futures Programmes.

The provision of free school meals (FSM) and school uniform grants to pupils from low income families are key measures through which my Department supports learning and ensures that all pupils have an equal opportunity to fulfil their potential. The eligibility criteria for FSM were extended from 2010/11, on a phased basis, to pupils from low income families in nursery and primary schools and to post-primary schools from 2014/15. Over this period the number of children entitled to FSM has increased by over 35,000 pupils.

In 2014/15, over 97,000 pupils were entitled to FSM across the education sector. FSM entitlement normally also brings with it entitlement to a school uniform grant (with the exception of nursery school pupils).

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 McKay** asked the Minister of Education to detail the number of children in each Irish-medium school in each of the last three years.

**(AQW 50372/11-16)**

**Mr O'Dowd:** Enrolments in Irish medium schools in 2012/13 – 2014/15 are as follows:

	2012/13	2013/14	2014/15
Bunscoil an Luir	86	79	78
Bunscoil an Traonaigh	37	36	38
Bunscoil An Tsleibhe Dhuibh	172	179	184
Bunscoil Bheann Mhadagain	130	133	142
Bunscoil Bheanna Boirche	84	83	85
Bunscoil Cholmcille	123	117	114
Bunscoil Mhic Reachtain	61	61	82
Bunscoil Phobal Feirste	287	294	307
Colaiste Feirste	541	564	581
Gaelscoil an Chaistil	97	107	101
Gaelscoil an Lonnain	44	49	51
Gaelscoil an tSeanchaí	47	59	103
Gaelscoil Aodha Rua	31	48	67
Gaelscoil Eadain Mhoir	139	140	138
Gaelscoil Eanna	104	136	152
Gaelscoil Eoghain	13	19	67
Gaelscoil Ghleann Darach	75	84	79
Gaelscoil Leim an Mhadaidh	30	36	53
Gaelscoil Na Bhfal	190	187	185
Gaelscoil na Daroige	55	61	69
Gaelscoil na gCrann	116	123	131
Gaelscoil Na mBeann	20	28	40
Gaelscoil na Mona	92	94	93
Gaelscoil na Spéiríní	33	36	41
Gaelscoil NeAchtain	63	68	77
Gaelscoil Uí Dhochartaigh	155	163	160
Gaelscoil Uí Neill	177	191	189
Scoil An Droichid	146	156	154
Scoil na Fuisioige	113	115	125

**Source:** NI school census

**Notes:**

9 Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.

10. Figures for primary includes nursery, reception and year 1 - 7 classes.



**Mr Lyttle** asked the Minister of Education for an update on the scoping study to outline possible models for primary school counselling further to the recommendations of the Audit of Counselling and other Therapeutic interventions in Primary and Special Schools in October 2009.

**(AQW 50408/11-16)**

**Mr O'Dowd:** I remain committed to providing counselling support to pupils of primary school age.

The Department is in the process of collating data and researching models that would be suitable for younger children. The 2015 School Omnibus Survey, which is due for publication by the end of the year, included a section on primary school counselling and this information will inform the departmental analysis. The aim is to have an appropriate model identified by late 2016.

**Mr Gardiner** asked the Minister of Education whether he has any plans to change the curriculum to include mental health.

**(AQW 50415/11-16)**

**Mr O'Dowd:** In our curriculum at primary level, managing feelings and emotions is a compulsory element of Personal Development and Mutual Understanding and provides opportunities for pupils to better understand their own feelings and the feelings of others, as well as how to sustain their health, growth and wellbeing.

At post-primary level, the Personal Health strand of Learning for Life and Work provides opportunities for pupils to understand the importance of recognising and managing factors that may influence physical and emotional/mental health throughout life.

The statutory curriculum clearly states that pupils should be taught about the importance of learning about mental health and wellbeing.

**Ms Sugden** asked the Minister of Education, under current legislation, (i) whether parents can place their child in a private pre-school for an additional year; and if so, (ii) to detail the circumstances which allow this to take place.

**(AQW 50428/11-16)**

**Mr O'Dowd:** Current legislation does not enable parents to defer their child's starting age. Article 45 of the Education and Libraries (NI) Order 1986 states that the parent of every child of compulsory school age shall cause him/her to receive full time education suitable to his/her age, ability, aptitude and to any special educational needs he/she may have, either by regular attendance at school or otherwise.

The most common way that parents do this is by sending their child to school when they reach compulsory school age. However, parents can decide to make their own arrangements when their child reaches compulsory school age and attendance at a non-funded/private pre-school may form part of these arrangements. Parents making these arrangements would be required to meet the cost of a pre-school place.

If at any stage it appears to the Education Authority (EA) that a parent is not meeting the duty as set out above, the EA will write to the parents asking them to demonstrate that their child is receiving suitable full time education.

**Ms Sugden** asked the Minister of Education (i) for his assessment of the issue that not all children are ready to start formal schooling at four years of age; (ii) to detail how parental concerns that their child is not ready to start school is addressed in the new guidance on school starting age; and (iii) whether he plans to introduce any flexibility on school starting ages in the future.

**(AQW 50429/11-16)**

**Mr O'Dowd:** The foundation stage of the curriculum is specifically designed to provide an age-appropriate education for pupils in Years 1 and 2. The foundation stage provides teachers with flexibility to use their professional judgement and adapt their teaching to best meet the needs of their pupils and to provide for diagnostic assessment, which will provide greater opportunities for teachers to pick up earlier on pupils with particular difficulties.

The Education Authority published its "School Starting Age – A Guide for Parents" on 29 October 2015. This guidance covers a range of issues associated with school starting age, including advice for parents who are worried that their child is not ready to start school.

I have said before that I am keen to introduce flexibility on school starting age in certain circumstances but this will require a change to primary legislation. Compulsory School Starting Age

**Ms Sugden** asked the Minister of Education to detail (i) the rationale behind recent departmental guidance that makes four years the compulsory school starting age; and (ii) what support is available for primary schools to put in place different arrangements for individual Year 1 children that find starting school challenging.

**(AQW 50430/11-16)**

**Mr O'Dowd:** The date of commencement of compulsory school age is defined in the Education and Libraries (NI) Order 1986, as amended by the Education Reform (NI) Order 1989, changing school starting age from five to four. This was to take account of the fact that many parents enrolled their children at four years of age and was to ensure that all children had access to an equal number of years of school. A cut off date of 1 July, provided clarity for parents and schools on the beginning of compulsory school age that was common to all children rather than relying on the date of birth of the individual child.

I understand that, for a variety of reasons, some children may have more difficulty settling into primary school than others. My Department issued guidance on 14 April 2015 on "Induction and Transition to Year 1 of Primary School" which noted that for these children, primary schools may need to put in place different arrangements for induction and transition to P1 to take account of the individual circumstances of the child.

**Ms Sugden** asked the Minister of Education whether children starting school later than four years of age can be placed in a year group which is different to their own chronological year.

**(AQW 50431/11-16)**

**Mr O'Dowd:** Parents of children who did not start school at four years of age, and were educated outside the formal school system, can apply for a place in a grant-aided school at any time. A child applying for admission to a school would be admitted to his/her chronological age group.

Nevertheless, the flexibility does exist for children to move outside their chronological age group. Any such decision is made by a school's Board of Governors, taking into account the views of parents, the Principal and the Education Authority. This could see a child moving to a year group below his/her chronological age or to a year group above his/her chronological age.

**Mr McGlone** asked the Minister of Education, pursuant to AQW 50161/11-16, when the funding for the accommodation requirements at Kilronan School will become available.

**(AQW 50436/11-16)**

**Mr O'Dowd:** I am pleased to tell you that I have secured additional funding for minor works which will include a scheme to provide additional accommodation at Kilronan School. This funding has been released to the Education Authority (EA). The EA anticipates that, subject to all necessary approvals, on-site works will commence at the school before the end of this financial year.

**Mr Campbell** asked the Minister of Education, pursuant to AQW 49774/11-16, what actions can an individual that believes they come under the exceptional circumstances reference take if they have been unable to convince the General Teaching Council of the nature of their case.

**(AQW 50626/11-16)**

**Mr O'Dowd:** The General Teaching Council (GTCNI) is responsible for registering teachers. This function is provided for in the Education (Northern Ireland) 1998 and regulations made under it. Those regulations provide that a person is not eligible for registration if he/she is not a qualified teacher. The qualifications required are determined by GTCNI rather than my Department. Applications are dealt with on a case by case basis and decisions may vary according to individual circumstances.

Anyone wishing to register as a teacher should contact GTC to discuss their case including what steps they might take in order to become eligible for registration.

**Mr McKay** asked the Minister of Education what actions his Department has taken to improve uptake of the cycle to work scheme.

**(AQW 50654/11-16)**

**Mr O'Dowd:** When the NICS Cycle to Work Scheme was re-launched in February 2014 it was promoted corporately to all NICS staff. No additional action to improve uptake has been taken in the Department of Education because it is now an established NICS wide scheme, which permits staff to make applications all year round.

**Mr McGlone** asked the Minister of Education for an update on the planned new build for Holy Trinity College, Cookstown.

**(AQW 50761/11-16)**

**Mr O'Dowd:** My Department is currently working with the Department of Finance and Personnel to secure approval of the business case for Holy Trinity College, Cookstown.

It is too early to be able to estimate when construction works for the new school would commence.

## Department for Employment and Learning

**Lord Morrow** asked the Minister for Employment and Learning to detail how a terrorist tribute, displayed at St Mary's University College Belfast, was permitted in a government funded facility.

**(AQW 49649/11-16)**

**Dr Farry (The Minister for Employment and Learning):** My expectation is that all higher education institutions must be shared and inclusive environments.

Like others, St Mary's University College is responsible for its policies and procedures, including adherence to Section 75 and other equality legislation. My Department highlights in the annual grant letters to all institutions their responsibility to adhere to the relevant legislation.

All higher education institutions engage with the wider community, and this is now an expectation under our higher education strategy. In this regard, St Mary's is responsible for deciding how its premises are used.

**Lord Morrow** asked the Minister for Employment and Learning whether his Department will (i) carry out an investigation into the potential damage caused by the terrorist tribute at St Mary's University College Belfast, particularly in respect of its obligations as an equal opportunities employer and its acceptance of students from all communities; and (ii) determine whether a breach of its Equal Opportunities Policy has occurred as per Section 4.1 paragraph 2.

**(AQW 49784/11-16)**

**Dr Farry:** My expectation is that all higher education institutions must be shared and inclusive environments.

Like others, St Mary's University College is responsible for its policies and procedures, including adherence to Section 75 and other equality legislation. My Department highlights in the annual grant letters to all institutions their responsibility to adhere to the relevant legislation.

All higher education institutions engage with the wider community, and this is now an expectation under our higher education strategy. In this regard, St Mary's is responsible for deciding how its premises are used.

**Lord Morrow** asked the Minister for Employment and Learning to ascertain how the terrorist tribute at St Mary's University College, Belfast balances against their Mission Statement.

**(AQW 49909/11-16)**

**Dr Farry:** My expectation is that all higher education institutions must be shared and inclusive environments.

Like others, St Mary's University College is responsible for its policies and procedures, including adherence to Section 75 and other equality legislation. My Department highlights in the annual grant letters to all institutions their responsibility to adhere to the relevant legislation.

All higher education institutions engage with the wider community, and this is now an expectation under our higher education strategy. In this regard, St Mary's is responsible for deciding how its premises are used.

**Ms Sugden** asked the Minister for Employment and Learning what consideration has he given to his Department collaborating with the European Social Fund, United Youth Programme and Steps 2 Success providers to ensure that individuals can complete their training with, or participation on, other projects before they are ready to progress onto Steps 2 Success.

**(AQW 50170/11-16)**

**Dr Farry:** Steps 2 Success (S2S) is my Department's main employment programme, and is part of a wider package of support, which my Department's Employment Service Advisers can offer to unemployed clients.

Employment Service Advisers offer advice, guidance and assistance to help unemployed clients find work at the earliest opportunity. This support includes a range of other programmes designed to move unemployed clients into work. These programmes include the European Social Fund Programme and the United Youth Programme.

#### **European Social Fund Programme**

European Social Fund (ESF) Programme aims to support participants with pre-employment training to enhance jobsearch skills, improve confidence and acquire the necessary skills to access sustainable employment. Support can include providing vocational training for employability up to Level 1. All applications submitted to the European Social Fund had to demonstrate how they would not duplicate local provision in other geographical areas and how they would complement existing Departmental and other Government programmes.

#### **United Youth Programme**

My Department is currently leading, on behalf of the Executive, on the development of the United Youth Programme. This is a good relations programme that will provide flexible, high quality, young-person-centred opportunities for 16-24 year olds who are not in education, employment or training.

The programme is a key commitment in the 'Together: Building a United Community' Strategy. A total of 13 pilots, with approximately 360 places, are being delivered across Northern Ireland in 2015/2016. These pilots will test a range of approaches which will inform the service design framework for the United Youth Programme.

As the target group of young people for the United Youth Pilots are those Not in Education Employment or Training (NEET), a sizeable proportion of young people targeted will be on Jobseeker's Allowance (JSA).

**Steps 2 Success**

JSA claimants will, at certain points in their benefit claim, be required to participate on S2S. Those aged 18 to 24 years old will be required to participate when they have been claiming JSA for 9 months. Those aged 25 years old and over will be required to participate when they have been claiming JSA for 12 months.

Clients referred to S2S must attend and participate on the programme in order to maintain entitlement to benefit.

Where a JSA claimant is participating on another programme when they reach their S2S eligibility date, my Department's Employment Service Advisers can defer the S2S referral for up to 90 days. This deferral period should allow the client time to complete training or participation on the programme they have started and move into employment where possible. If the client does not move into employment on completion of another programme, they will be referred to S2S.

My Department's Employment Service works closely with the ESF Managing Authority and Youth Policy and Strategy Divisions to ensure the integration of Departmental provision meets the needs of unemployed clients.

This collaboration between Divisions within my Department ensures that Employment Service Advisers can refer unemployed clients to the most appropriate provision or programme to meet their job goals and overcome individual barriers to employment.

**Mr Weir** asked the Minister for Employment and Learning, pursuant to AQW 49504/11-16, to detail the breakdown of all travel and accommodation costs for departmental staff, organised by Proteus NI, including the period in which the expenditure occurred.

**(AQW 50437/11-16)**

**Dr Farry:** My officials have confirmed that the information is not readily available, and could only be obtained at significant cost. Therefore, as it is only available at disproportionate cost, I am not in a position to provide the information to the Member.

**Mr Weir** asked the Minister for Employment and Learning, pursuant to AQW 49504/11-16, to detail (i) which organisation directed Proteus NI in respect of travel and accommodation costs for departmental staff, organised by Proteus NI; and (ii) whether Proteus NI were advised to adhere to Civil Service guidance on procurement and the most economic travel and accommodation options.

**(AQW 50438/11-16)**

**Dr Farry:** The Department gave direction to Proteus in respect of travel and accommodation costs for departmental staff.

Under the ESF 2007-2013 Programme, the work of Proteus was subject to all requirements set out in the ESF Promoter's Manual 2007-2013 (Priority 3 Technical Assistance). This manual specifies, under Purchasing Procedures, that the organisation is legally obliged to obtain value for money, and that they should demonstrate that they have followed the guidelines as laid down by the Central Procurement Directorate.

**Mr Weir** asked the Minister for Employment and Learning to detail (i) who is undertaking the role in the European Social Fund 2014-2020 Programme carried out by Proteus in the 2007-2013 Programme; and (ii) whether his Department plans to use external consultants for any of this activity.

**(AQW 50519/11-16)**

**Dr Farry:** Under the 2014-2020 ESF Programme, the role previously undertaken by Proteus will be carried out by Departmental staff in the ESF Managing Authority. The Department does not plan to use any external consultants for this activity.

**Mrs McKeivitt** asked the Minister for Employment and Learning for an update on the joint Economic Inactivity Strategy.

**(AQO 9034/11-16)**

**Dr Farry:** Enabling Success, the Executive's new strategy, aimed at reducing the level of economic inactivity in Northern Ireland, was published on 20th April 2015.

The implementation of the strategy, over its proposed fifteen year period, is based on eleven key projects, to be managed and resourced on a cross-departmental basis.

However, due to the ongoing pressure on budgets, and the subsequent absorption of these pressures through Departmental baselines, the Enabling Success strategy remains largely unresourced and implementation severely hindered.

A research mapping exercise of economic inactivity service provision in Northern Ireland, aimed at the strategy's key target groups has been completed.

In addition, the Department for Social Development leads on a pilot project in the new Derry and Strabane District Council area. This pilot project received funding via the Executive's Change Fund for 2015/16, and it is based on early and more intensive engagement with new claimants of the Employment and Support Allowance benefit.

The remaining cross-departmental projects have yet to commence, due to the lack of financial and other resource allocations.

Updated, indicative project costs have been provided for the ongoing discussions between the Executive parties.

Should the Executive secure additional finance to enable the full or part implementation of the strategy, a new implementation plan and timetable will need to be agreed between the relevant Executive departments.

**Mr McAleer** asked the Minister for Employment and Learning whether he plans to retain maintenance grants.  
(AQO 9035/11-16)

**Dr Farry:** My Department now spends almost £70 million per year in student maintenance grants, which is nearly one tenth of its total budget.

I have no current plans to remove or reduce maintenance grants for students from Northern Ireland.

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning for an update on the Big Conversation.  
(AQO 9036/11-16)

**Dr Farry:** I launched the Big Conversation on the 15th of September as an innovative and experimental approach to engaging with people about the sustainability and the future of our higher education system. It concluded on the 23rd of October.

The process was designed to be iterative, comprising two main stages which were themed on a week-by-week basis. The first stage, called 'Did you Know?', ran for the first three weeks and focussed on raising public awareness about the purpose and importance of our existing higher education system. This was followed by a second stage, called 'Have your Say', which launched on the 6th of October and invited people to put forward their views on some of the most critical issues facing our higher education system.

During the first stage, people were invited to test their knowledge about our existing higher education system through online 'did you know?' style surveys.

The second stage was more akin to a traditional consultation. Equipped with the knowledge gained in stage one, people were invited to have their say on a range of issues through a consultation questionnaire. Questions focussed on the adequacy and the sustainability of our existing higher education funding and delivery systems, and whether there might be alternatives which could work better for Northern Ireland.

During the process my officials and I sought to stimulate debate and engage with people in a wide range of ways. We had formal meetings with stakeholders; we held workshops and focus groups and a Twitter Q&A in the penultimate week to answer people's questions directly. Various other stakeholders, including our universities and colleges, promoted the process through their own channels.

In the final week my officials also organised a panel discussion to examine some of the different higher education funding and delivery systems maintained in other parts of the world. That event was very well attended and received, and we were really fortunate to secure some excellent panellists.

Now that the Big Conversation has concluded, I will be using the evidence base to formulate a paper to present to my Executive colleagues, outlining the ways in which higher education could be sustained in the future.

**Mr Allister** asked the Minister for Employment and Learning what representations he has made or will make to St Mary's University College to avoid a repeat of the recent display commemorating republican terrorists at the college.  
(AQO 9037/11-16)

**Dr Farry:** My expectation is that all higher education institutions must be shared and inclusive environments.

Like others, St Mary's University College is responsible for its policies and procedures, including adherence to Section 75 and other equality legislation. My Department highlights in the annual grant letters to all institutions their responsibility to adhere to the relevant legislation.

All higher education institutions engage with the wider community, and this is now an expectation under our higher education strategy. In this regard, St Mary's is responsible for deciding how its premises are used.

**Mr Lunn** asked the Minister for Employment and Learning for an update on the higher education Big Conversation.  
(AQO 9039/11-16)

**Dr Farry:** I launched the Big Conversation on the 15th of September as an innovative and experimental approach to engaging with people about the sustainability and the future of our higher education system. It concluded on the 23rd of October.

The process was designed to be iterative, comprising two main stages which were themed on a week-by-week basis. The first stage, called 'Did you Know?', ran for the first three weeks and focussed on raising public awareness about the purpose and importance of our existing higher education system. This was followed by a second stage, called 'Have your Say', which launched on the 6th of October and invited people to put forward their views on some of the most critical issues facing our higher education system.

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The second stage was more akin to a traditional consultation. Equipped with the knowledge gained in stage one, people were invited to have their say on a range of issues through a consultation questionnaire. Questions focussed on the adequacy and the sustainability of our existing higher education funding and delivery systems, and whether there might be alternatives which could work better for Northern Ireland.

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Now that the Big Conversation has concluded, I will be using the evidence base to formulate a paper to present to my Executive colleagues, outlining the ways in which higher education could be sustained in the future.

**Mr Ó hOisín** asked the Minister for Employment and Learning for an update on his Department's efforts to address youth unemployment.

**(AQO 9040/11-16)**

**Dr Farry:** My Department has a wide range of measures in place to help address youth unemployment.

The Youth Employment Scheme Work Experience Programme offers work experience placement opportunities to unemployed 18-24 year olds who are job ready. Participants have the opportunity to learn and apply the soft skills increasingly valued by employers.

Young people can avail of Steps 2 Success, which is a flexible personalised service tailored to meet individual need. Those with significant barriers can enter this programme early. This personalised service is underpinned by Service Guarantees, which ensure that all participants receive the support they need to find and sustain employment.

Following the publication of "Generating our Success: The Northern Ireland Strategy for Youth Training" in June 2015, my Department is currently establishing a new system of professional and technical training for all young people aged 16 to 24 who require training at level 2.

My Department is also implementing a new apprenticeship system which will be open to everyone irrespective of age, but with a primary focus on young people aged 16 to 24. There will be progression from the new youth training system, with apprenticeships offered at level 3 and above.

Under the current Northern Ireland European Social Fund Programme, the Department fund 66 projects, many of which have a specific focus on addressing youth unemployment.

The Department's Employment Service works closely with the Careers Service, referring young people who would benefit from careers guidance. The Careers Service offers impartial and personalised advice and guidance, provided by professionally qualified advisers.

The aim is to support young people to make informed decisions about the opportunities available in education, training and apprenticeships to help them fulfil their potential, leading to rewarding and sustained employment.

## Department of Enterprise, Trade and Investment

**Mr McKinney** asked the Minister of Enterprise, Trade and Investment for his assessment of the impact of a UK withdrawal from the EU on (i) the local commercial agriculture sector; and (ii) local small and medium sized businesses.

**(AQW 48378/11-16)**

**Mr Bell (The Minister of Enterprise, Trade and Investment):** My Department has not made an assessment of the impact of a UK withdrawal from the EU on either the local commercial agricultural sector or local small and medium sized businesses.

Any change in the UK's status as a member of the EU is dependent on the outcome of a referendum and at this stage no set date has been announced for this.

**Mr Dickson** asked the Minister of Enterprise, Trade and Investment what policy decisions have been awaiting sign off since he first resigned on 10 September 2015.

**(AQW 49183/11-16)**

**Mr Bell:** There are no policy decisions referred to me between 10 September and 21 October that are awaiting sign off.

**Mr McKinney** asked the Minister of Enterprise, Trade and Investment to detail the scoping study currently being undertaken by his Department into reviewing the impact of a UK exit from the EU will have on the Northern Ireland Economy.  
(AQW 49191/11-16)

**Mr Bell:** The Department became aware of an existing Oxford Economics research project that was seeking UK wide funding to examine the potential impacts of a UK exit from the EU under a selection of plausible exit scenarios (<http://www.oxfordeconomics.com/brexit>).

Given the potential impacts of a UK exit on the local economy the Department has accepted a proposal from Oxford Economics to join its UK study and to have the work extended to cover Northern Ireland. This follows on from a formal approach the Department made to Oxford Economics during October 2015.

**Ms McCorley** asked the Minister of Enterprise, Trade and Investment for a breakdown of any investment, including capital his Department has made in West Belfast since May 2011.  
(AQW 50089/11-16)

**Mr Bell:** My Department has invested £13.2 million in West Belfast between May 2011 and March 2015. Of the £13.2 million, £12.3 million was invested by Invest NI.

There are also a number of telecommunications infrastructure projects aimed at enhancing access to telecommunications services which resulted in investment totaling just over £20 million in the period May 2011 to March 2015. Whilst it is not possible to disaggregate this investment by constituency, these projects have resulted in improved broadband availability in West Belfast.

In addition, DETI provided £1.5 million funding between May 2011 and March 2015 from the EU Sustainable Competitiveness Programme to Belfast City Council, which provided generic business development support and benefitted enterprises across the entire council area. It is not possible to disaggregate the level of investment by constituency during this period.

**Mr McCallister** asked the Minister of Enterprise, Trade and Investment whether he will follow the lead of the Department of Energy and Climate Change in extending the grace periods for on-shore wind operators by nine months to include those projects that are currently awaiting a planning decision.  
(AQW 50205/11-16)

**Mr Bell:** I am currently considering my response to consultation on the Northern Ireland Renewables Obligation closure and will take account of any proposals in Great Britain in doing so. It should be noted however that the nine months is in respect of an investment freeze and not related to planning.

**Mr Frew** asked the Minister of Enterprise, Trade and Investment, in light of the Prime Minister's statement on the planned compensation for energy intensive industries to assist with high energy costs, (i) how this will effect local businesses; (ii) what talks he plans with the Government to discuss the effect on local businesses; and (iii) what measures he will have to implement to allow local businesses to avail of the compensation.  
(AQW 50225/11-16)

**Mr Bell:** Analysis suggests that no local business qualify for compensation under the scheme. Northern Ireland successfully negotiated a derogation from the Carbon Price Floor in 2013 so local businesses already benefit from the effects of that derogation. Since this is a UK scheme there would be no need for separate action in Northern Ireland anyway.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what engagement he has had with (i) 3M Industrial Tapes Ltd; and (ii) Unite on the potential job losses at the Bangor company.  
(AQW 50241/11-16)

**Mr Bell:** Invest NI met with local management on the 3 November 2015 to discuss the situation and will continue to work with the company going forward, in order to secure the best possible outcome.

In January 2014, my predecessor, Arlene Foster MLA, met with the company to discuss concerns about increasing energy costs and lack of competition in the energy sector. As a result of this visit Invest NI provided advice and support to 3M on Sustainable Development and Skills and Strategy for Process/Production Improvements.

To date neither myself or my Department have had any direct contact with Unite in relation to 3M.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether he is aware of the reasons for the potential relocation of some of the factory jobs at 3m Industrial Tapes Ltd from Bangor to Italy.  
(AQW 50243/11-16)

**Mr Bell:** 3m Group implemented a global restructuring programme which resulted in 1500 jobs being cut across the Group. As a consequence of this initiative they decided to move production of their lower grade tapes from Bangor to Italy resulting in the potential loss of 34 posts at the Bangor facility.

The company in Bangor has struggled with their input costs and, as a consequence have been unable to meet key financial metrics required by the corporate group. This led to the decision to move production of the lower grade tapes to Italy.

The company will continue to manufacture their profitable higher specification tape at the Bangor facility.

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what plans Tourism NI has to promote cycling.  
(AQW 50263/11-16)

**Mr Bell:** Tourism NI is currently in the process of undertaking research to ascertain current market performance and explore potential for cycling in Northern Ireland. As part of this study Tourism NI has requested recommendations for maximising the appeal of the cycling product to visitors, including identifying specific marketing opportunities.

Northern Ireland's terrain lends itself to both road cycling and mountain biking, as evidenced by the success of the Giro d'Italia and the world class mountain bike trails throughout Northern Ireland.

Tourism NI works closely with Outdoor Recreation NI to ensure continued promotion of mountain biking and cycling trails in Northern Ireland on both digital channels and its website [www.discovernorthernireland.com](http://www.discovernorthernireland.com).

Blogs have been developed and published to promote the new Cycle Sperrins route and new mountain biking trails in Northern Ireland. Tourism NI also has a cyclist's welcome scheme & mountain bikers' welcome scheme for accommodation providers which are both promoted on [www.discovernorthernireland.com](http://www.discovernorthernireland.com).

Tourism NI will continue to promote Northern Ireland as a cycling destination across its various promotional platforms and through PR including hosting familiarisation trips for media.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment why he did not respond to the Unite Union following their meeting in July 2015, in respect of matters affecting the future of the Michelin plant.  
(AQW 50354/11-16)

**Mr Bell:** I met with representatives from the Unite Union on 7 July to discuss their document "The case for a Manufacturing Strategy for Northern Ireland".

This document is still under consideration by the Department. I will continue to work with Unite and others to grow the manufacturing sector in Northern Ireland.

**Mr I McCrea** asked the Minister of Enterprise, Trade and Investment what mobile phone and mobile data provision is available in Portrush, broken down by operator.  
(AQW 50356/11-16)

**Mr Bell:** My Department does not gather or hold the information requested.

Data on mobile coverage is collected by Ofcom which makes the information available through a coverage checker that can be found at <http://www.ofcom.org.uk/mobile-coverage>. In addition, each Mobile Network Operator also supplies a coverage checker on their individual websites.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether 3M are a client of Invest NI; and what engagement Invest NI has had with 3M as part of the 45 day consultation on the 34 potential job losses.  
(AQW 50386/11-16)

**Mr Bell:** 3M Bangor is a client of Invest NI. Officials from Invest NI met with the management of 3M on 3 November 2015 to discuss the implications of the recent announcement to begin consultation on the potential loss of 34 jobs. Invest NI will continue to liaise with 3M throughout this process and beyond to ensure the best possible outcome.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 49480/11-16, on what date the last moratorium expired.  
(AQW 50403/11-16)

**Mr Bell:** The last moratorium expired in October 2010.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 49480/11-15, what is meant by undue sterilisation.  
(AQW 50414/11-16)

**Mr Bell:** Undue sterilisation refers to surface development which would prejudice future exploitation.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what impact the rejection by the House of Lords of the proposals to cease renewables obligation certificates for onshore wind will have on similar proposals for Northern Ireland.  
(AQW 50449/11-16)

**Mr Bell:** I understand that the clauses relating to early closure of the Renewable Obligation and associated grace periods in the Energy Bill will be reintroduced in the House of Commons.

I will continue to be alert to any changes made in GB that may be applied in Northern Ireland. As current arrangements are set out in legislation the final position will, of course, be subject to Assembly approval.

**Ms Lo** asked the Minister of Enterprise, Trade and Investment what progress has been made in achieving the target of 40 per cent of electricity generated from alternative energy sources by 2020 as set out in the Strategic Energy Framework 2010.  
(AQO 9047/11-16)

**Mr Bell:** The most recent official statistics covering the twelve months ending March 2015 show that nineteen point nine per cent of electricity consumed was generated from renewable sources.

The latest unofficial figures for the twelve months ending September 2015 show an increase to approximately twenty three per cent.

The key Programme for Government target to have twenty per cent of electricity consumption from renewable sources by 2015 has been achieved and the renewables industry and infrastructure providers are to be applauded for delivering this growth.

**Mr Humphrey** asked the Minister of Enterprise, Trade and Investment for an update on the Innovation Centre at Forthriver Business Park, Belfast.  
(AQO 9048/11-16)

**Mr Bell:** Belfast City Council is continuing to make good progress with its plans to develop an Innovation Centre on the Forthriver Business Park. The construction phase of the project is scheduled for completion April 2016 and the project remains on budget. A process is currently underway to identify a suitable operator to manage the Centre.

Invest NI, DETI and Belfast City Council continue to work closely to ensure successful implementation of the project.

**Mr Moutray** asked the Minister of Enterprise, Trade and Investment for an update on plans for Northern Ireland's Year of Food 2016.  
(AQO 9050/11-16)

**Mr Bell:** Tourism NI is leading on the Year of Food & Drink. However the industry will play a key role in the delivery of this initiative and Tourism NI is working to support and enable them to maximise every opportunity.

Following the launch of this initiative in September 2015, Tourism NI co-ordinated a series of dedicated industry roadshows across Northern Ireland. This was complemented by Events Funding Roadshows which highlighted the new dedicated Year of Food and Drink Events Fund which is open for applications until 16 November.

Industry toolkits, mentorship programmes, brand guidelines and templates to support initiatives have also been developed.

Tourism NI is leading on an integrated communication delivery plan in order to maximise PR and communications opportunities.

Tourism Ireland and Invest NI are also integrating the Year of Food and Drink into their communication plans for 2016.

**Mr Girvan** asked the Minister of Enterprise, Trade and Investment to outline the investment by his Department in South Antrim since August 2011.  
(AQO 9051/11-16)

**Mr Bell:** My Department has invested £26.5 million in South Antrim between August 2011 and March 2015, including £25.2 million by Invest NI.

In addition, since August 2011 there have been a number of telecommunications infrastructure projects across Northern Ireland totaling over £31 million where it is not possible to disaggregate the level of investment by constituency, but which have benefited South Antrim.

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment to list the occasions during his recent trip to China on which he was described or introduced as the Minister for Enterprise, Trade and Investment.  
(AQO 9052/11-16)

**Mr Bell:** I have not visited China in my capacity as Minister of Enterprise, Trade and Investment.

**Mr McCarthy** asked the Minister of Enterprise, Trade and Investment for an update on the rollout of broadband to rural areas.  
(AQO 9053/11-16)

**Mr Bell:** In February 2014, my Department contracted BT to deliver the Northern Ireland Broadband Improvement Project (NIBIP). This is primarily aimed at rural areas and seeks to extend the availability of basic and superfast broadband to those who have limited choice, across Northern Ireland with a target of 45,000 premises by 31 December 2015.

Improvements have already been carried out for over 32,000 premises across Northern Ireland, including more than 1,600 in the Strangford constituency. Further details on the project can be found on the DETI website and the NI Direct platform at: <http://www.nidirect.gov.uk/index/information-and-services/leisure-home-and-community/technology-and-online-services/broadband-improvement-project.htm>.

Recognising that NIBIP will not deliver superfast broadband to all premises, my Department in February 2015, awarded a further contract to BT, for the delivery of the Superfast Roll-out Programme (SRP). This project, which again has a primarily rural focus, will provide superfast broadband improvements for almost 39,000 premises across Northern Ireland by December 2017. An extensive survey and design process is underway and will take several months to complete. Further details on roll-out will be published on the NI Direct platform, as it becomes available.

**Mrs Cochrane** asked the Minister of Enterprise, Trade and Investment for his assessment of the economic benefit of Invest NI's £1.5 million support for the collaboration between the Almac Group and Queen's University Belfast.  
(AQO 9054/11-16)

**Mr Bell:** This collaboration has helped bring internationally renowned staff and resources to the Almac Group, enhance the company and its service offering, and provided opportunities to retain highly skilled graduates in Northern Ireland. This project has further strengthened Almac's strategic partnership with Queen's University Belfast (QUB), and created a culture of innovation and industry focussed research within QUB.

An independent assessment by Innovate UK for setting up the Precision Medicine Catapult (PMC) highlighted this collaboration as a strength unique to Northern Ireland, allowing it to be chosen as a Centre of Excellence for the PMC network.

## Department of the Environment

**Mr Agnew** asked the Minister of the Environment what consideration has been given to extending permitted development rights to rooftop solar projects over 50kw.  
(AQW 49702/11-16)

**Mr Durkan (The Minister of the Environment):** I believe that it is important to promote the use of energy efficient renewable energy systems. I met recently with representatives of the solar panel industry to listen to their views on this issue. Following this meeting I have asked my officials to undertake work to consider options to extend permitted development rights for the installation of non-domestic roof top solar panel arrays beyond the current 50 kW output limit. I will consider these options and the way forward as soon as this work is complete.

**Ms Sugden** asked the Minister of the Environment to detail why he called in and subsequently approved planning application C/2011/0459/F by Cam Burn Wind Farm Ltd.  
(AQW 50303/11-16)

**Mr Durkan:** I was contacted by the applicant who outlined the recent history of the case since it had transferred to the council for processing prior to 1 April 2015. My reasons for calling in the planning application were due to the planning history of this application and the particular difficulties arising from the current DETI proposals concerning the qualifying date for the NI Renewables Obligation Scheme, which was 30 October 2015. I also noted the potential economic and environmental contribution from this project.

In reaching my decision I took account of the report and recommendation of my officials. I was also aware of the strong level of public representation in both objection to, and support of, the application. The key issues I considered in the determination of the application were the potential visual impact on the wider landscape of the area and the potential impact on nearby residents. Overall I considered that these impacts would not be unacceptably adverse and that the proposal met the requirements of planning policy.

**Ms Sugden** asked the Minister of the Environment whether he has issued formal written approval for planning application C/2011/0459/F; and if so, to detail the date it was issued.  
(AQW 50374/11-16)

**Mr Durkan:** On 30 October 2015 I issued a Notice of Opinion to approve planning permission. The notice indicates the decision the Department proposes to take on a planning application. The notice was served on both the applicant and Causeway Coast and Glens Borough Council. If so requested by the applicant or the council within 28 days from the date of the notice, the Department will afford each of them an opportunity of appearing before, and being heard by the Planning Appeals Commission. If no such request is made, the planning permission will issue. If a request is made then a planning permission would not issue until a report is received from the PAC. The final decision would still rest with the Department.



## Department of Finance and Personnel

**Mr Allister** asked the Minister of Finance and Personnel, pursuant to AQW 49610/11-16 and given that the issue being interrogated is not whether the department had any role in the sale of the NAMA loan book, to confirm whether any records ever existed of the ministerial meeting with Cerberus.

(AQW 50151/11-16)

**Mrs Foster (The Minister of Finance and Personnel):** My Department has no record of the content of this meeting having been minuted.

## Department of Health, Social Services and Public Safety

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for an update on community pharmacy reimbursement and whether his Department will release funds as an interim payment, to ensure that many of these pharmacies remain economically sustainable.

(AQW 45202/11-15)

**Mr Wells (The Minister of Health, Social Services and Public Safety):** In order to ensure that the Northern Ireland Drug Tariff provides fair and reasonable reimbursement for generic medicines, an Ongoing Margin Survey (OMS) has been in place since 2011 as a collaborative arrangement between Government and community pharmacy contractors to assess available profit margins from generic medicines. A Cost of Service Investigation (COSI) has also been initiated under the Department's statutory powers to quantify the cost of providing pharmaceutical services in Northern Ireland.

The level of appropriate remuneration for community pharmacy services will be informed by the OMS and the outcome of the COSI.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to outline the extent of the dialogue his Department has had with clinicians regarding newly commissioned National Institute for Health and Care Excellence approved medicines.

(AQW 45729/11-15)

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** On 1 July 2006, the Department established formal links with National Institute for Health and Care Excellence (NICE) whereby all Technology Appraisals published by the Institute from that date would be locally reviewed for their applicability to Northern Ireland (NI) and, where appropriate, endorsed here. This arrangement has ensured access to up-to-date, independent, professional, evidence-based guidance on the value of health care interventions.

NICE recruit a diverse range of members to sit on their Appraisal Committees, including clinicians. They also invite consultees to take part in the development process, inviting comments on draft remits, scopes and guidance. Committee recruitment and stakeholder participation are open to clinicians and HSC bodies in Northern Ireland, and the Department works closely with the NI NICE Managers Forum to raise awareness and increase participation.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what strategy his Department is pursuing to provide support for early intervention for parents of deaf children.

(AQW 46272/11-15)

**Mr Hamilton:** The assessment framework agreed across the key agencies in children's services is the 'Understanding the needs of Children in Northern Ireland (UNOCINI)'. The key strategies which reflect the legislative content for children's services are the Families Matter Strategy (2009) and the Physical and Sensory Disability Strategy (2012-15). Both reference the interface with the UNOCINI Framework and the NI Family Support Model as contained within the Families Matter Strategy.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety how much his Department has paid to consultants in each year since 2011; and how much each agency or individual received in each year.

(AQW 46693/11-15)

**Mr Hamilton:** The amount of payments by DHSSPS for external consultancy since 2011/12 is as follows:

Financial Year	Consultancy	Expenditure
2011-12	Chris Ham	£17,054.86
2011-12	Deloitte MCS Ltd	£9,806.00
2011-12	Hugh P. Simpson	£7,839.75
2011-12	Ian Rutter	£8,804.70
2011-12	Mabel Slater	£3,261.54

Financial Year	Consultancy	Expenditure
2011-12	Mark Ennis	£3,600.00
2011-12	Moore Stephens	£13,482.00
2011-12	Prof. Deirdre Heenan	£9,454.50
2011-12	QBM (Alan Fellows)	£4,950.00
2011-12	RSM McClure Watters	£15,040.00
2011-12	RSM McClure Watters	£27,450.00
<b>Total 2011 - 12</b>		<b>£120,743.35</b>
2012-13	Bravo Solution Ltd	£1,260.00
2012-13	Cogent Management Consulting	£4,750.00
2012-13	McClure Watters	£3,760.00
2012-13	Moore Stephens	£20,223.00
<b>Total 2012 - 13</b>		<b>£29,993.00</b>
2013-14	BN Consult Ltd	£3,000.00
2013-14	CASC	£8,740.00
2013-14	John Howarth	£3,547.87
2013-14	Mark Graham	£2,362.00
2013-14	Peter Besley	£4,500.00
2013-14	Prof Mike Clarke	£8,000.00
2013-14	Ros Fallon	£61,621.06
2013-14	Steve Traynor Associates (STAHRS)	£1,250.00
2013-14	Sue Page	£44,646.33
2013-14	Valuta Ltd	£4,875.00
<b>Total 2013 - 14</b>		<b>£142,542.26</b>
2014-15	Dr Sinclair Stockman	£7,188.00
2014-15	Mouchel	£35,000.00
2014-15	RSM McClure Watters	£29,698.00
2014-15	Strategies for Health	£115,925.39
2014-15	Dr Mayer, Dr Moran, Dr Sinclair	£6,221.77
2014-15	Institute for health Improvement	£32,947.00
<b>Total 2014 – 15</b>		<b>£226,980.16</b>

**Ms Lo** asked the Minister of Health, Social Services and Public Safety for his assessment of the impact on children and adults with Attention Deficit Hyperactivity Disorder following the withdrawal of funding to ADD-NI.

**(AQW 46985/11-15)**

**Mr Hamilton:** Funding has not been withdrawn from ADD-NI in the current financial year.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety to detail the rationale behind the cuts to the training of clinical psychologists.

**(AQW 47027/11-15)**

**Mr Hamilton:** The reduction in the annual intake of trainee Clinical Psychologists is a direct result of the financial pressures on the Health and Social Care budget in 2015/16.

I recognise that there is potential for waiting times for services to increase.. Nevertheless, my Department remains fully committed to improving mental health care in Northern Ireland, including access to psychological interventions and therapies and I hope that this reduction in annual training numbers will be a temporary measure for 2015/16 only.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety to detail why local training commissions per capita are the lowest among all the UK regions.

**(AQW 47028/11-15)**

**Mr Hamilton:** The reduction in the annual intake of trainee Clinical Psychologists is a direct result of the financial pressures on the Health and Social Care budget in 2015/16.

I recognise that there is potential for waiting times for services to increase.. Nevertheless, my Department remains fully committed to improving mental health care in Northern Ireland, including access to psychological interventions and therapies and I hope that this reduction in annual training numbers will be a temporary measure for 2015/16 only.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether he has given any consideration to the impact on waiting times and access to services if the numbers of clinical psychologists locally are reduced.

**(AQW 47029/11-15)**

**Mr Hamilton:** The reduction in the annual intake of trainee Clinical Psychologists is a direct result of the financial pressures on the Health and Social Care budget in 2015/16.

I recognise that there is potential for waiting times for services to increase.. Nevertheless, my Department remains fully committed to improving mental health care in Northern Ireland, including access to psychological interventions and therapies and I hope that this reduction in annual training numbers will be a temporary measure for 2015/16 only.

**Mr McKay** asked the Minister of Health, Social Services and Public Safety if his Department has published a biodiversity strategy as required by the Wildlife and Natural Environment Act (Northern Ireland) 2011.

**(AQW 47307/11-15)**

**Mr Hamilton:** The Wildlife and Natural Environment Act (Northern Ireland) 2011 does not place a duty on the DHSSPS to publish a Biodiversity Strategy.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety whether (i) he is aware of recent developments in the ACWY meningitis vaccine, and if so (ii) how and when he intends to make this vaccine available to teenagers; and (iii) what will be the minimum age for which the vaccine will be made available.

**(AQW 47321/11-15)**

**Mr Hamilton:** I am aware of the advice from the Joint Committee on Vaccination and Immunisation (JCVI) in relation to a rise in Men W cases in the UK.

A Men ACWY vaccination programme was introduced in Northern Ireland on 3 August this year, with the initial priority being given to those who are 18 years old, who will be offered a Men ACWY vaccine by their GP. This will be followed by a school-based programme during the academic year 2015/16 and a further GP-based programme beginning in April 2016. In line with JCVI advice the Men ACWY vaccine will be offered to all 14- to 18-year-olds.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the actions being taken to vaccinate babies and young children to combat Meningitis B.

**(AQW 47530/11-15)**

**Mr Hamilton:** Meningitis B is a dangerous, and in some cases deadly, illness. The Joint Committee on Vaccination and Immunisation (JCVI), an independent panel of experts that advise the 4 UK Health Ministers on issues related to vaccination have recommended the introduction of a Men B vaccine into the routine childhood vaccination schedule.

The Men B vaccination programme was introduced in Northern Ireland in September, in line with the rest of the UK.

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to outline any plans his Department has to roll out the new Meningitis B vaccine for babies.

**(AQW 47531/11-15)**

**Mr Hamilton:** Meningitis B is a dangerous, and in some cases deadly, illness. The Joint Committee on Vaccination and Immunisation (JCVI), an independent panel of experts that advise the 4 UK Health Ministers on issues related to vaccination have recommended the introduction of a Men B vaccine into the routine childhood vaccination schedule.

The Men B vaccination programme was introduced in Northern Ireland in September, in line with the rest of the UK.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail (i) the European Union legal implications for the provision of domiciliary care packages; and (ii) to what extent does his Department measure and review such standards to ensure compliance.

**(AQW 47550/11-15)**

**Mr Hamilton:** Where such services fall within the scope of the New EU Procurement Directive (brought into law on 26 February as the Public Contracts Regulations 2015) and are not subject to any exemptions, they generally require contracting

authorities to follow a light touch regime. Essentially this means that there is a process which meets the principles of transparency and equitable treatment, when purchasing services to the person worth over €750k from independent providers. The Department obtains assurances through overarching accountability and sponsorship arrangements with its arms length bodies.

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety Further, pursuant AQW 45787/11-15, to detail (i) the expenditure on branded medicines in 2014-15 broken down by (a) primary; and (b) secondary care; and (ii) the percentage of total medicines' expenditure represented by branded medicines in (a) 2012-13; (b) 2013-14; and (c) 2014-15. (AQW 47683/11-15)

**Mr Hamilton:** The expenditure on branded medicines in 2014/2015 in (a) primary care was £225.9m and (b) secondary care was £143.2m.

The percentage of total medicines' expenditure represented by branded medicines in primary and secondary care is as follows:-

Year	2012/2013	2013/2014	2014/2015
Primary Care	69.1%	67.1%	66.4%
Secondary Care (Average across HSC Trusts)	84.3%	86.1%	86.9%

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to detail the criteria used by his Department to select ten care homes, across five Health and Social Care Trusts, for possible closure following a twelve week consultation. (AQW 47765/11-15)

**Mr Hamilton:** The review of the future of statutory residential accommodation is being led by the Health and Social Care Board. The Board publicly consulted on the criteria to be used to assess future accommodation needs for older people, and the role of statutory residential homes in meeting those needs.

Each of the Health and Social Care Trusts used these regionally agreed criteria to evaluate their residential care homes. The agreed criteria were quality of care; availability and accessibility of alternative services; care trends; and best use of public money.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the (i) wheelchairs; (ii) walking equipment; and (iii) aids used to transport multiple patients in hospitals and statutory residential care homes; and (iii) whether arrangements are in place across all Health and Social Care Trusts to ensure that these items are decontaminated between each use; and (iv) who is responsible for cleaning the equipment. (AQW 47767/11-15)

**Mr Hamilton:** The information requested by the Member is provided below:

- (i) Electric, manual, self propelling wheelchairs and tilt in space wheelchairs.
- (ii) Zimmer frames, rollators, crutches, tripods, walking sticks.
- (iii) Wheelchairs, beds, chairs, wheeled cable rollators, wheeled walkers, crutches, walking sticks, buses with tail lifts, ambulances, voluntary drivers, and taxis. In addition, residential care homes often have communal wheelchairs to transport residents within the care home setting.

All Wheelchairs are cleaned in accordance with the Trust Guideline:

- (iv) 'Cleaning and Decontamination of the Care Environment & Equipment; Guidance and Principles'. Furthermore, wheelchairs that are no longer required by clients are collected from their homes and returned to the wheelchair repair service at Musgrave Park Hospital where they are examined to determine if they remain fit for purpose. If items are deemed suitable for re-use they are decontaminated as per infection control guidance and re-issued to other users.
- (v) Cleaning Assistants employed by the HSC Trusts as part of their Community Equipment Stores Teams are responsible for the decontamination and cleaning of equipment. Also portering staff are responsible for the decontamination and cleaning of wheelchairs used to transport patients throughout HSC Trusts' hospitals.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety for his assessment of the Maudsley approach to treating anorexia; whether it is being used to treat local patients; and if not, to explain why this approach is not being used. (AQW 47784/11-15)

**Mr Hamilton:** The Maudsley Model is a family therapy based intervention, mainly recommended for treating people with an eating disorder under the age of 18, with duration of illness of less than 3 years.

The Maudsley Model is one of a range of interventions provided in Northern Ireland, and is used to treat patients where it is deemed the most appropriate model for intervention, following clinical assessment which will take account of co-morbid physical and / or mental health conditions, and family and social circumstances.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the number of people waiting for non-elective surgery in each (a) hospital: and (b) Health and Social Care Trust broken down by procedure.  
(AQW 47797/11-15)

**Mr Hamilton:** Information on the number of people waiting for non-elective surgery is not available as a non-elective admission is one which is unpredictable and at short notice because of clinical need.

**Mr Easton** asked the Minister of Health, Social Services and Public Safety whether there is a shortage of NHS dentists given the size of the local population.  
(AQW 47818/11-15)

**Mr Hamilton:** No, at present approximately 59% of the population in Northern Ireland is registered with an NHS dentist (2014). The number of NHS registered Dental Practitioners in 2014 per 100,000 of population is significantly higher than in England and Wales and only slightly lower than in Scotland.

■	England	44.3
■	Wales	38.3
■	Scotland	60.9
■	Northern Ireland	57.1

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether there is any formal duty by which he must cooperate with the Minister for Education in relation to the Special Educational Needs and Disability (SEND) Bill.  
(AQW 47900/11-15)

**Mr Hamilton:** Both the Children (Northern Ireland) Order 1995 and the Education (Northern Ireland) Order 1996 currently require health and social care bodies to respond to requests for help in the exercise of the Education Authority's duties. In responding to any request a HSC Trust would have regard to whether such help is necessary for the assessment; whether it has sufficient resources; and whether it is compatible with its own statutory duties or functions.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether any concerns have been expressed to local health authorities about the use of the anti-psychotic drug Risperidone being prescribed to children with Down Syndrome and autism.  
(AQW 47925/11-15)

**Mr Hamilton:** The Southern Health and Social Care Trust (SHSCT) has recently received a formal complaint about the prescribing of the antipsychotic drug risperidone to a child with Down Syndrome and autism. The complaint is being considered in line with the HSC Complaints Procedure (Complaints in HSC: Standards and Guidelines for Resolution and Learning) and a formal response will be issued by the SHSCT. Where a complainant remains dissatisfied following completion of the local resolution process, they have a right to refer their complaint to the NI Commissioner for Complaints (the Ombudsman).

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the number of patients that have had their personal medical data shared with organisations for uses other than their own personal care.  
(AQW 47969/11-15)

**Mr Hamilton:** All Health and Social Care organisations holds a register of data access agreements that are in place for the sharing of information for uses other than personal care. The numbers of individual patients relevant to each data access agreement is not routinely collected.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) non-medical; and (ii) medical staff in his Department and each of its arm's-length bodies that had a total annual remuneration in excess of £100,000 in each of the last 3 years, broken down by job title or grade; and to list every individual remuneration in excess of £125,000.  
(AQW 48168/11-15)

**Mr Hamilton:** It is not possible to provide the information in the format requested. The tables below detail the number of non-medical and medical staff in my Department and its arm's-length bodies that had a total annual remuneration in excess of £100,000 in each of the last 3 years broken down by staff grouping.

As well as basic salary, locum payments, travel expenses and arrears etc. have been included.

(i) Non-medical staff

Year	Total Number £100,000 to £124,999	Staff Group (Number)
2012/13	15	Senior Executives (11) Agenda for Change Bands 8 – 9 (3) Senior Civil Service (1)



Year	Total Number £100,000 to £124,999	Staff Group (Number)
2013/14	22	Senior Executives (14) Agenda for Change Bands 8 – 9 (7) Senior Civil Service (1)
2014/15	30	Senior Executives (12) Agenda for Change Bands 8 – 9 (17) Senior Civil Service (1)

Year	Total Number > £125,000	Staff Group (Number)
2012/13	5	Senior Executives (4) Agenda for Change Bands 8 – 9 (1)
2013/14	6	Senior Executives (3) Agenda for Change Bands 8 – 9 (3)
2014/15	6	Senior Executives (2) Agenda for Change Bands 8 – 9 (4)

## (ii) Medical staff

Year	Total Number £100,000 To £124,999	Staff Group (Number)
2012/13	960	Consultants (928) Junior Doctors* (2) Specialty and Associate Specialists (SAS) (30)
2013/14	957	Consultants (929) Junior Doctors* (3) Specialty and Associate Specialists (SAS) (25)
2014/15	980	Consultants (961) Junior Doctors* (2) Specialty and Associate Specialists (SAS) (17)

Year	Total Number > £125,000	Staff Group (Number)
2012/13	474	Consultants (464) Junior Doctors* (1) Specialty and Associate Specialists (SAS) (9)
2013/14	448	Consultants (444) Junior Doctors* (0) Specialty and Associate Specialists (SAS) (4)
2014/15	445	Consultants (441) Junior Doctors* (2) Specialty and Associate Specialists (SAS) (2)

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail how much his Department and each of its arm's-length bodies have spent on private taxis for (a) patients; and (b) staff in each of the last five years.

(AQW 48170/11-15)

**Mr Hamilton:** The information requested could only be provided at disproportionate cost.

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail how much has been spent on drug and alcohol addiction services in each of the last five years, broken down by Health and Social Care Trust.

(AQW 48193/11-15)

**Mr Hamilton:** My Department funds a range of alcohol and drugs services, either under the New Strategic Direction for Alcohol and Drugs Phase 2 or the Mental Health Services Budget. The table below provides a breakdown of the funding over the last 3 years; it has not been possible to provide funding over the past 5 years given some of the Review of Public Administration changes were still being embedded during this period.

It should be noted that this will not cover all funding spent on alcohol and drug misuse – some services are funded from other sources (including other government departments and organisations like the Big Lottery Fund). In addition, some alcohol and drug misuse treatment and support is provided by generic services such as primary care, pharmacy, etc and it is impossible to disaggregate out the costs for the alcohol and drug misuse elements of these services.

**Table 1 – Total Spend**

	2011/12	2012/13	2013/14
BHSCT	£2,791,755	£2,752,419	£2,696,985
NHSCT	£3,426,233	£3,470,238	£3,590,552
SEHSCT	£2,528,677 <sup>1</sup>	£3,380,478	£3,380,326
SHSCT	£3,008,271	£3,119,877	£3,157,130
WHSCT	£3,800,718	£3,761,576	£3,941,612
Regional*	Not Available	£352,461	£408,731

<sup>1</sup> Not all information available in this year.

\* The “regional” budgets do not refer to the overall budget across the region, but rather to a designated budget for regional work.

Information on the breakdown of this spending between the community and voluntary sector and the Health and Social Care sector, and between inpatient and outpatient services, is not held centrally. Currently the Health and Social Care Trusts, the Public Health Agency, and the Health and Social Care Board categorise these spends in different ways and this means that providing a consistent and meaningful comparison could only be provided at disproportionate costs.

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the (i) community and voluntary spending; and (ii) NHS spending on (a) inpatient and (b) outpatient drug and alcohol addiction services in each of the last five years, broken down by Health and Social Care Trust.

**(AQW 48194/11-15)**

**Mr Hamilton:** My Department funds a range of alcohol and drugs services, either under the New Strategic Direction for Alcohol and Drugs Phase 2 or the Mental Health Services Budget. The table below provides a breakdown of the funding over the last 3 years; it has not been possible to provide funding over the past 5 years given some of the Review of Public Administration changes were still being embedded during this period.

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**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail (i) his Department’s policy on psychoactive substances; and (ii) the measures being taken on the use and regulation of psychoactive substances.

**(AQW 48196/11-15)**

**Mr Hamilton:**

- (i) My Department leads on the New Strategic Direction for Alcohol and Drugs Phase 2, which is the cross-sectoral strategy aimed at reducing the harms caused by alcohol and drug misuse in Northern Ireland. New Psychoactive Substances were specifically identified as an emerging issue when this strategic framework was published in 2012.
- (ii) A range of psychoactive substances are already regulated through existing legislation such as the Misuse of Drugs Act 1971, Human Medicines Regulation 2012, alcohol licensing legislation, etc.

However, these existing regulations do not cover all potential novel and emerging New Psychoactive Substances. Following substantial lobbying and support from my Department, the UK-wide Psychoactive Substances Bill is currently working its way through the parliamentary process. This Bill will ban the manufacture, import/export, sale and supply of New Psychoactive Substances and is similar to the legislation brought forward in the Republic of Ireland, which saw the closure of almost all the "headshops" in that jurisdiction. As legislation in this area is not devolved, officials from my Department and the Department of Justice have been working closely with the Home Office to ensure the legislation will be appropriate and effective within Northern Ireland.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety what consideration has been given to introducing a programme for the vaccination of men that have sex with men (MSM) that are aged 16 – 40 years, being implemented in GUM or HIV clinics using the quadrivalent HPV vaccine.

**(AQW 48249/11-15)**

**Mr Hamilton:** Vaccination policy in Northern Ireland and the rest of the UK is guided by the recommendations of the Joint Committee on Vaccination and Immunisation (JCVI). JCVI is an independent expert committee that advises the four UK Health Ministers on matters relating to the provision of vaccination and immunisation services. JCVI considers all the available medical and scientific evidence before recommending which groups should be offered vaccination. JCVI also considers the cost-effectiveness of vaccination programmes, both existing programmes and programmes that are being proposed.

JCVI is currently considering whether HPV vaccination should be offered to MSM. I will consider JCVI's advice on this when I receive it.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety what consideration has been given to introducing a universal HPV vaccination strategy for both adolescent boys and girls.

**(AQW 48250/11-15)**

**Mr Hamilton:** Vaccination policy in Northern Ireland and the rest of the UK is guided by the recommendations of the Joint Committee on Vaccination and Immunisation (JCVI). JCVI is an independent expert committee that advises the four UK Health Ministers on matters relating to the provision of vaccination and immunisation services. JCVI considers all the available medical and scientific evidence before recommending which groups should be offered vaccination. JCVI also considers the cost-effectiveness of vaccination programmes, both existing programmes and programmes that are being proposed.

Vaccination against HPV was introduced in 2008 for girls aged 12/13 with the aim of preventing cervical cancer. At that time JCVI did not recommend vaccinating boys as it was not cost-effective with regard to preventing cervical cancer.

JCVI is currently considering whether HPV vaccination should be offered to adolescent boys.

I will consider JCVI's recommendations when I receive them.

In the meantime it should be noted that the existing programme for adolescent girls already affords a degree of protection to heterosexual males by interrupting transmission of the virus.

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety to detail the additional cost of extending the HPV vaccination programme to boys; and the estimated annual savings as a result of the reduction of cases of HPV-related cancer.

**(AQW 48252/11-15)**

**Mr Hamilton:** Vaccination policy in Northern Ireland and the rest of the UK is guided by the recommendations of the Joint Committee on Vaccination and Immunisation (JCVI). JCVI is an independent expert committee that advises the four UK Health Ministers on matters relating to the provision of vaccination and immunisation services. JCVI considers all the available medical and scientific evidence before recommending which groups should be offered vaccination. JCVI also considers the cost-effectiveness of vaccination programmes, both existing programmes and programmes that are being proposed.

JCVI is currently considering whether HPV vaccination should be offered to adolescent boys as well as girls. JCVI assesses the cost-effectiveness of proposed programmes before making recommendations. I will consider JCVI's advice on this matter when I receive it.

Estimating the cost of extending the programme to boys is relatively straightforward. If boys were offered a 2-dose schedule, as is offered to girls, the total cost of an adolescent programme for all boys and girls would be approximately £1.6m, which is twice the cost of the existing programme.

Estimating the possible savings to the health service is less straightforward for several reasons. Any savings would not be seen until 10 to 30 years after the introduction of a programme. Also, because in the existing programme for adolescent girls the uptake is approximately 90% and vaccine efficacy is high, the existing programme already provides a degree of protection for heterosexual males by interrupting transmission of the virus. Pending JCVI's recommendations my Department has not attempted to estimate the potential savings to the health service.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety why his Department has not introduced routine screening for Group B Streptococcus.

(AQW 48257/11-16)

**Mr Hamilton:** The UK National Screening Committee (NSC) is an expert body which advises the four UK Health Departments on screening programmes. In November 2012 the committee re-reviewed the research evidence on screening for GBS and recommended that antenatal screening for GBS carriage should not be offered because there is insufficient evidence to demonstrate that the benefits to be gained from screening would outweigh the harms. The screening test only identifies women carrying GBS when they are screened and some women will not carry GBS by the time they receive antibiotics in labour. Others who were negative at screening may be carriers when they go into labour. Screening cannot identify the small number of women whose babies would be affected and therefore many thousands of women would receive antibiotics in labour when their babies would not be affected.

The UK NSC will be commissioning an update review of any new evidence in 2015/2016. I will consider any advice from the NSC when it is made available.

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety to detail any discussions that have taken place regarding the use of Pharmaceutical Price Regulation Scheme (PPRS) rebates to improve patient access to new National Institute for Health and Care Excellence approved medicines.

(AQW 48261/11-16)

**Mr Hamilton:** My officials have ongoing discussions with the Health and Social Care Board, representatives of the Association of the British Pharmaceutical Industry and a number of the major pharmaceutical companies regarding the use of receipts from the Pharmaceutical Price Regulation Scheme and access to new National Institute for Health and Care Excellence approved medicines.

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety to detail what (i) data is used; and (ii) is included in primary care spending when calculating the allocation of Pharmaceutical Price Regulation Scheme (PPRS) rebates.

(AQW 48262/11-16)

**Mr Hamilton:** PPRS payments are made to the Department of Health (London) (DH) by individual drug companies on the basis of their UK-wide quarterly sales data for branded medicines.

To date, the payments to the devolved administrations are calculated by the DH on the basis of prescription cost data for the total expenditure in primary care on branded medicines in each of the devolved administrations in the quarter to which the overall industry sales data relates.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for an update on the Individual Funding Request (IFR) consultation.

(AQW 48273/11-16)

**Mr Hamilton:** My Department has publicly consulted on the recommendations from the published report of the evaluation of the Individual Funding Request (IFR) process. The responses to the consultation are in the final stages of analysis and when this has been concluded I will announce my decision, taking into consideration the views gathered, and subject to available funding.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the discussions his Department is having with the Department of Education regarding waiting lists for autism assessments for children.

(AQW 48274/11-16)

**Mr Hamilton:** The two Departments regularly discuss a wide range of issues surrounding children with special educational needs, including autism. The Department of Education are members of the Autism Strategy Inter-departmental Senior Officials Group. Education is also represented on the Regional Implementation Team, tasked with the delivery of the autism strategy and action plan. Both groups provide an opportunity for discussions regarding all aspects of services, including waiting lists.

Within each HSC Trust area there is a cross-agency Autism Forum, with representation including Education, Voluntary Sector and service users. This provides an opportunity for discussion, at a local level, regarding initiatives which will impact on services.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety why carbon fibre leg callipers are not available locally given patients would be willing to contribute to the cost.

(AQW 48280/11-16)

**Mr Hamilton:** The term “leg calliper” may cover any orthosis from a basic Ankle Foot Orthosis through to a full Hip Knee Ankle Foot Orthosis. Belfast Health and Social Care Trust’s Regional Disablement Service at Musgrave Park Hospital provides carbon fibre orthoses where these are deemed clinically appropriate.

Furthermore, there is no mechanism which allows the Trust to seek or take part funding from a patient in consideration of payment for a device other than that prescribed, however current guidelines do allow for a patient to make their own arrangements to pay for a device/orthosis other than that prescribed.

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether he will consider meeting some polio sufferers to discuss why carbon fibre callipers are not available locally.

(AQW 48281/11-16)

**Mr Hamilton:** I refer the Member to my response to AQW 48280/11-15. As this addresses the relevant issues, in my view such a meeting is not necessary.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the (i) destination; (ii) duration; (iii) total cost; and (iv) purpose of each trip outside the United Kingdom and Ireland taken by (a) the Minister; (b) his Special Adviser; (c) his departmental officials; and (d) personnel in each of the departmental arm’s-length bodies, in each of the last four years.

(AQW 48294/11-16)

**Mr Hamilton:** The information requested is not readily available and can only be obtained at a disproportionate cost.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on the proposal for a Derry Health Campus.

(AQW 48334/11-16)

**Mr Hamilton:** The Health and Social Care Board’s Strategic Implementation Plan, including the Health and Social Care Cityside scheme, remains under consideration alongside other capital investment priorities and is subject to future budget availability, confirmation of value for money and affordability.

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) counsellors; and (ii) psychotherapists operating in each Health and Social Care Trust.

(AQW 48354/11-16)

**Mr Hamilton:**

- (i) The table below shows the number of counsellors employed at September 2015.

	Belfast		Northern		South Eastern		Southern		Western	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Counsellors	14	11.39	3	2.4	1	1.0	3	1.8	0	0.0

**Source:** HSC Trusts

The Western HSC Trust does not employ counsellors, but does have three Counselling Psychologists. These have not been included in the first table to prevent double counting.

- (ii) Headcount (HC) and whole-time equivalent (WTE) figures for HSC Trust staff specifically graded as Clinical Psychologists<sup>1</sup> at 30th June 2015 are shown, by employing Trust, in the table below.

	Belfast		Northern		South Eastern		Southern		Western	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Clinical Psychologists 1	93	84.1	54	48.6	43	37.2	35	31.4	43	40.7

**Source:** NI HSC Human Resources, Payroll, Travel & Subsistence (HRPTS)

- 1 It is important to note that not all Clinical Psychologists will deliver psychotherapeutic treatment. Many Trust staff, including some social workers, nursing staff and psychiatry staff, will provide therapeutic or in some cases psychotherapeutic intervention to patients, clients and service users on a daily basis while not specifically or solely employed as psychotherapists.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 46584/11-15, to detail the equivalent figures for each year since 2011, broken down by hospital.

(AQW 48355/11-16)



**Mr Hamilton:** Information collected on the total number of non-urgent elective operations cancelled in each year from 2012/13 to 2014/15, broken down by hospital has been provided in Table 1.

The table includes cancellations due to both clinical and non-clinical reasons, as well as patient cancellations. Non-clinical reasons include list over-run, emergencies/trauma, etc. while clinical reasons are those where the patient was clinically unsuitable to undergo the procedure, though these lists are not exhaustive.

Information is not available prior to April 2012 when the associated Indicator of Performance was introduced.

**Table 1: The number of elective operations cancelled<sup>1</sup> by hospital site: 2012/13 to 2014/15.**

Hospital	2012/13	2013/14	2014/15
Belfast City	1,133*	877	1,680
Mater	534	422	705
Musgrave Park	1,148	1,296	1,540
Royal Group	1,776	1,332*	2,529
Antrim	1,218	783	765
Causeway	1,215	975	859
Mid Ulster	454	422	396
Whiteabbey	484	487	480
Ulster	1,527	1,321	1,307
Ards	938	883	944
Lagan Valley	1,290	1,022	838
Downe	651	609	598
Craigavon	796	640	630
Daisy Hill	611	324	352
South Tyrone	780	504	483
Altnagelvin	1,321	805	1,212
South West Acute	628	659	581
Tyrone County	778	607	700

**Source:** P9 Cancelled Operation Information Return

1 Includes only those operations cancelled on the day of, or up to two days before the planned operation.

\* This report excludes Belfast City Hospital figures for Feb 13 and Royal Group Figures for January, February and March 2014 due to a technical fault.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 48165/11-15, for his assessment of these costs, for each arm's-length body.

**(AQW 48357/11-16)**

**Mr Hamilton:** The costs within the health and social care system are increasing given the increasing demand from a growing and aging population, as well as the costs of improved treatments and technologies which can improve patient outcomes.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail how much his Department has paid to each recruitment agency responsible for sourcing agency and locum staff in his (a) Department; and (b) arm's-length bodies, in each of the last five years.

**(AQW 48358/11-16)**

**Mr Hamilton:**

a) The amount paid to recruitment agencies over the last five years, by DHSSPS is given below:

Organisation	Financial Year				
	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
DHSSPS	£56,715.62	£67,745.55	£0.00	£13,815.20	£23,906.12

**Source:** DHSSPS

- b) Nil. As recruitment matters are the responsibility of individual HSC employers, the Department does not pay recruitment agencies directly for staff employed in the HSC.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety (i) whether there are any concerns about the introduction pulse oximetry screening as a method of detecting congenital heart defects; and (ii) why this method has not been introduced.  
(AQW 48370/11-16)

**Mr Hamilton:**

- (i) My department is advised by the UK National Screening Committee (NSC) about all aspects of screening. Using research evidence, pilot programmes and economic evaluation, the NSC assesses the evidence for programmes against a set of internationally recognised criteria covering the condition, the test, the treatment options and the effectiveness and acceptability of the screening programme.

The NSC has reviewed the evidence for adding pulse oximetry to the screening pathway to detect congenital heart disease in newborns. At their meeting in March 2014 they recommended piloting the use of pulse oximetry to evaluate the impact of implementation on NHS services and to establish feasibility for future national rollout as an addition to the existing suite of screening tests undertaken as part of the newborn programme.

- (ii) The pilot has commenced and is expected to report next year. The NSC will make a policy recommendation for the UK and I will consider this advice when it is available.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for an update on his Department's review into the provision of Adult Social Care.

(AQW 48380/11-16)

**Mr Hamilton:** My officials are developing an evidence base for potential strategic reform to the system of care and support. Officials are also liaising with other government departments on cross cutting issues relevant to care and support.

The decision of the Westminster Government to postpone financial reform in England means that there will now be no corresponding increase to the NI Block Grant. My Department is therefore also assessing the impact of this on the scope of reform in NI.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety why the meningitis B vaccination programme has been limited to children under 12 months; and whether he would consider a discretionary approach in order to temporarily allow parents of older children to avail of the vaccine.

(AQW 48383/11-16)

**Mr Hamilton:** In Northern Ireland as in the rest of the UK, vaccination policy is informed by the work of the Joint Committee on Vaccination and Immunisation (JCVI), an independent expert advisory committee that advises the four UK Health Ministers. In formulating its advice and recommendations the Committee's aim is to ensure that the greatest benefit to public health is obtained from the most appropriate vaccination and immunisation strategies.

JCVI has recommended that the Men B vaccine is offered to all infants aged two months of age. This will then be followed by a second dose when they are 4 months old and a booster dose at 12 months.

JCVI also recommended a limited catch-up programme for those infants aged 3 or 4 months as the programme begins to protect them in time for when they are most at risk of Men B infection.

JCVI did not recommend a catch-up programme for children aged 5 months or above.

The Men B vaccine was added to the routine childhood vaccination schedule from 1 September. As meningococcal disease peaks around 5 months of age before declining, the priority of the programme is to provide protection to the most vulnerable group prior to the peak in incidence of disease at 5 months of age.

I will continue to be guided by the independent expert advice provided by JCVI when considering the vaccination policy for Northern Ireland.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for an update on the implementation of the recommendations of the Bamford review.

(AQW 48385/11-16)

**Mr Hamilton:** The most recent Bamford Action Plan annual monitoring report (November 2014) was published on my Department's website in March 2015. This report highlights good progress on the Bamford Action Plan 2012-15, with 83% of the 76 actions on target for completion, and the remaining 17% progressing, with some delay against the target date.

An evaluation of the Bamford Action 2012-15 is currently being carried out and is expected to be completed by Spring 2016.

**Ms Ruane** asked the Minister of Health, Social Services and Public Safety to detail how long orthopaedic patients with polio are waiting between appointments.

(AQW 49997/11-16)

**Mr Hamilton:** Information on the length of time waited between orthopaedic appointments by patients with polio is not readily available and could only be provided at disproportionate cost.

A review appointment is different from a first appointment in that it is scheduled for a 'clinically appropriate' time, which can range from weeks to years depending on the patient's individual case.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail when he intends to update the Assembly on Transforming Your Care.

**(AQW 50055/11-16)**

**Mr Hamilton:** I refer the Member to my response to AQW 48277/11-15.

**Mr Swann** asked the Minister of Health, Social Services and Public Safety what steps is he taking to reduce the waiting time for children to see a paediatric cardiologist in the Belfast Health and Social Care Trust. [R]

**(AQW 50304/11-16)**

**Mr Hamilton:** All referrals to the Paediatric Cardiology service in the Belfast Health and Social Care Trust are triaged by consultants to ensure that urgent cases are prioritised. Any child with whom there is a high level of clinical concern will get an urgent appointment.

The Trust has plans in place to recruit an additional Paediatric Cardiologist and a Clinical Physiologist to assist in reducing waiting times for new and review appointments.

## Department of Justice

**Ms McCorley** asked the Minister of Justice for a breakdown of any investment, including capital, his Department has made in West Belfast since May 2011.

**(AQW 50139/11-16)**

**Mr Ford (The Minister of Justice):** The resource investment made by my Department, including its Agencies but not it's arm's-length bodies, directly attributable to West Belfast in each of the last four years is shown in the table below:

### Resource Investment £

2011-12	2012-13	2013-14	2014-15
166,380	337,145	319,631	306,910

The increase in expenditure from 2012-13 onwards mainly relates to the introduction of the West Belfast District Policing Community Safety Partnership.

Expenditure relating to a wide range of services that are provided across Northern Ireland by my Department has not been included as it cannot be costed out to specific areas.

During the same period there has been no capital investment by my Department in West Belfast.

**Lord Morrow** asked the Minister of Justice how many cases are currently in (i) magistrates'; and (ii) crown court under anti-terrorism legislation, broken down by court division.

**(AQW 50197/11-16)**

**Mr Ford:** The table below sets out the number of cases under anti-terrorism legislation currently before the courts broken down by court division as of 4 November 2015.

Court Division	Crown Court	Magistrates Court	Total Cases <sup>1</sup>
Armagh and South Down	0	10	10
Belfast	7	5	12
Craigavon	0	3	3
Fermanagh and Tyrone	0	1	1
<b>Total</b>	<b>7</b>	<b>19</b>	<b>26</b>

1. A case may contain one or more appropriate charges under the Terrorism Act (2000), the Terrorism (Northern Ireland) Act (2006) or the Counter Terrorism Act (2008) and may involve multiple defendants.

**Lord Morrow** asked the Minister of Justice how many victims of trafficking have been provided with support for an extended period of time under the powers provided in section 18(9) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

**(AQW 50200/11-16)**

**Mr Ford:** Since the commencement of the Act, my Department has supported 34 potential victims of trafficking as they progress through the National Referral Mechanism. Our current records indicate that 20 potential victims have been supported for an extended period of time. These numbers may increase as information on decisions and support is received.

My Department has always provided support to potential victims, based on their needs, beyond the reflection and recovery period. This arrangement has been bolstered by the provision of support now being on a statutory footing.

**Lord Morrow** asked the Minister of Justice whether he has been furnished with a copy, or briefed on the content, of the report into the Public Prosecution Service counsel referred to Professional Conduct Committee in the wake of the Sir Kier Starmer enquiry into the handling of the Maria Cahill case.

**(AQW 50203/11-16)**

**Mr Ford:** I have not received a copy of, nor have I received briefing on, any such report.

**Mr Allen** asked the Minister of Justice to detail (i) if the approved Northern Ireland Prison Service pay award has been paid out; and if not (ii) when she expects it to be paid out.

**(AQW 50236/11-16)**

**Mr Ford:** The approved 2015 pay award for prison grades in the Northern Ireland Prison Service was paid in October salaries.

**Mr Hussey** asked the Minister of Justice whether the arrears of payments due to retired police officers because of the miscalculation of benefits will be paid in the December pension payment; and to outline the action he is taking to resolve this long outstanding matter.

**(AQW 50268/11-16)**

**Mr Ford:** On 9 October 2015 the Department of Finance and Personnel (DFP) informed my officials that HM Treasury hoped to resolve issues regarding the Milne v GAD redress payments, but that in the meantime, it would be advisable to hold off making any payments. Written confirmation that payments may commence was received from DFP on 4 November 2015.

The methodology on the payment of the Pension Ombudsman's ruling is an administrative issue and ultimately the responsibility of the Northern Ireland Policing Board as scheme manager.

**Mr Hussey** asked the Minister of Justice whether his Department has had any discussions with the Home Office on the delay in payments due to retired police officers because of the miscalculation of accrued benefits.

**(AQW 50269/11-16)**

**Mr Ford:** My officials have kept in ongoing contact with Home Office officials in relation to this matter. I understand that discussions are continuing between the Home Office, HM Treasury and the Department for Communities and Local Government. I remain hopeful that any outstanding issues will be resolved in the very near future.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 49914/11-16, why the Legal Services Agency is not required to rely on Section 40 of the Freedom of Information Act; and given that he authorised the original decision to grant legal aid for coroners court representation, why he cannot disclose the figures under Section 40.

**(AQW 50283/11-16)**

**Mr Ford:** The Legal Services Agency NI has not engaged Section 40 of the Freedom of Information (FOI) Act 2000 to withhold the information referred to in AQW/49914/11-16. However, the Agency did engage the exemption under Section 44(1)(a) of the Freedom of Information Act "Prohibitions on disclosure".

This FOI exemption allows for non-disclosure when there is other legislation which must be complied with and it prohibits release of information. As a result, Legal Services Agency relied on FOI Section 44(1)(a) due to the legal duty to comply with Article 24 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981.

**Mr Flanagan** asked the Minister of Justice what efforts the Prison Service have made to meet the needs of transgender prisoners; and what further steps are under consideration.

**(AQW 50334/11-16)**

**Mr Ford:** The needs of all prisoners who may find individual challenges in respect of their time in custody can be effectively addressed by the Northern Ireland Prison Service. If a person who is transgender is committed to custody by the Courts, NIPS will consider their specific needs on a case by case basis upon committal. Specific arrangements can be made in respect of where the person is accommodated and how they access services in prison to ensure that they can fully engage in the regime. As part of the committal process any specific healthcare needs can be assessed by the South Eastern Health and Social Care Trust.

**Mr McCallister** asked the Minister of Justice to outline his Department's involvement in the Public Health Agency's Lifeline proposals to change the procured service from the third sector to a commissioned service from the Northern Ireland Ambulance Service; and for his assessment of how this will impact on the service provided to people in the justice system contemplating suicide.

**(AQW 50338/11-16)**

**Mr Ford:** The Public Health Agency has shared its consultation questionnaire on the future of Lifeline crisis intervention service with Departmental officials and a response is being considered.

Lifeline is one of a range of services available to vulnerable individuals in custody. The proposed change to commission the service from the Northern Ireland Ambulance Service offers potential benefits in respect of integration with other emergency and statutory service providers and extant clinical, information and corporate governance arrangements.

What is crucial is that the provision of the helpline service and the follow-on support services are well integrated with existing support mechanisms within criminal justice.

**Mr Easton** asked the Minister of Justice to outline the future plans for the houses on the Woburn site in Millisle.

**(AQW 50646/11-16)**

**Mr Ford:** The site at Millisle, which includes all the attendant houses, has been declared surplus to the Northern Ireland Prison Service's requirements.

The Strategic Investment Board Asset Management Unit is handling the disposal of the site and is seeking vacant possession to facilitate early disposal. NIPS is working to provide vacant possession by early 2016.

## Department for Regional Development

**Mrs Cochrane** asked the Minister for Regional Development whether she will revisit the funding allocations for the Belfast Rapid Transit works as a matter of urgency and assess whether the original completion date can be reinstated.

**(AQW 49288/11-16)**

**Miss M McIlveen (The Minister for Regional Development):** The implementation of the Belfast Rapid Transit (BRT) system is not only dependent on the completion of the BRT road infrastructure and procurement of vehicles, but also on the delivery of a number of significant interdependent projects. These include:

- the Ticketing Replacement project - to develop and implement a new Translink bus and rail ticketing system. The new ticketing system is required to be in place to provide off-board ticketing for BRT; and
- the Duncrue Depot project - the development of a new Translink depot, workshop and stores intended to house and maintain approximately 100 buses, including the new fleet of 30 BRT vehicles.

The combined costs of BRT, the ticketing replacement project and Duncrue Depot are approximately £130 million.

I share your disappointment in the delay to the operational date for BRT. It will unfortunately not now be possible to deliver all the elements for BRT to become operational in 2017. An independent Project Assessment Review of the BRT project in July 2015 confirmed that the revised completion date of August 2018 is achievable.

I would stress that the implementation works for BRT are continuing and will provide benefits for existing public transport users in advance of BRT becoming operational.

**Mr Dunne** asked the Minister for Regional Development what plans there are to re-engage contractors to repair streetlights.

**(AQW 49541/11-16)**

**Miss M McIlveen:** I am actively considering options to address the situation.

## Department for Social Development

**Mr Easton** asked the Minister for Social Development to detail (i) the number of claims made by; and (ii) the compensation paid to, residents that do not have adequate cavity wall insulation.

**(AQW 50002/11-16)**

**Mr Storey (The Minister for Social Development):** The information is not available in the format requested because the Housing Executive advises that claims maybe registered as "Dampness" which is a symptom with a number of causes and at the time of registration, the actual cause would not be known.

The Housing Executive has advised that a search of the claims registered on the Housing Executive system, revealed 256 claims under the heading of "Dampness". However, the causes of "Dampness" would include failure of the damp proof course, general household condensation, failure/absence of insulation, rising damp, penetrating damp etc.



The Housing Executive has confirmed that a small number of claims have been received that have been linked to cavity wall insulation and, as explained above, there may be others. The Housing Executive has advised that five cases have been settled to date and the total compensation amount was £49,730.

**Mr Campbell** asked the Minister for Social Development how many employees have been recruited to the Northern Ireland Housing Executive in the last ten years, broken down as a percentage of (i) Protestants; (ii) Roman Catholics; and (iii) non-determined categories.

**(AQW 50025/11-16)**

**Mr Storey:** The Housing Executive has provided the table attached which details the religious composition of staff recruited to the NIHE for the ten year period from 2006 to 28 October 2015.

Year	Total Recruited	Protestant		Roman Catholic		Non Determined	
		No	%	No	%	No	%
2006	243	82	33.7	138	56.8	23	9.5
2007	294	101	34.3	164	55.8	29	9.9
2008	127	52	40.9	51	40.2	24	18.9
2009	178	60	33.7	95	53.4	23	12.9
2010	98	47	48.0	40	40.8	11	11.2
2011	114	57	50.0	37	32.5	20	17.5
2012	69	22	31.9	34	49.3	13	18.8
2013	52	16	30.8	26	50.0	10	19.2
2014	67	26	38.8	20	29.9	21	31.3
2015 (to date)	34	7	20.6	16	47.1	11	32.3

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

**Mr Campbell** asked the Minister for Social Development, given Northern Ireland Housing Executive staff attended and spoke at the launch of a mural in Londonderry on 16 October 2015, whether he intends to speak to senior Northern Ireland Housing Executive officials to ensure staff do not get involved in political controversies.

**(AQW 50026/11-16)**

**Mr Storey:** I raised this with the Housing Executive's Chief Executive and have been advised that he wrote to you on 28 October 2015 in relation to this matter and has also offered to meet with you.

**Mr Ramsey** asked the Minister for Social Development how many people living in sheltered accommodation in Folye have their tenancy funded by the Northern Ireland Housing Executive.

**(AQW 50165/11-16)**

**Mr Storey:** The Housing Executive has advised that 541 people living in sheltered accommodation in the Foyle area of Londonderry have their tenancy funded by the Housing Executive through Housing Benefit.

**Mr Swann** asked the Minister for Social Development to detail what responsibility he has for addressing homelessness.

**(AQW 50229/11-16)**

**Mr Storey:** As Minister for Social Development I have responsibility for addressing homelessness in Northern Ireland. The Northern Ireland Housing Executive has statutory responsibility for responding to homelessness. My Department chairs the Homelessness Strategy Steering Group that oversees the implementation of the Homeless Strategy by the Northern Ireland Housing Executive and partner organisations.

Whilst in office as Minister for Social Development I have visited many organisations involved in addressing homelessness and I have seen at first hand the issues faced by these organisations and heard from those who have experienced homelessness. This year, my Department has allocated £27 million to homeless related services through the Supporting People Programme, administered by the Housing Executive. This funding provides practical assistance such as temporary accommodation and funding to support organisations.

From 2010-15 there has been a decrease in the number of people presenting as homeless in Northern Ireland by around 3% reducing from 20,158 to 19,621 with the trend in households accepted as statutorily homeless remaining stable over the 5 year period at around 50% of applicants.

**Mrs Dobson** asked the Minister for Social Development why social security offices do not publicly display signs advertising the services offered by local food banks.

**(AQW 50248/11-16)**

**Mr Storey:** I and my officials have been having regular engagement with a wide range of food bank representatives to better understand their issues and to explore how public services from my Department and those of other departments can be delivered in a way that helps reduce the need for food banks in our society. One example of this is that my Department has been working closely with a large number of food banks to put in place a partnership model which ensures every individual and family presenting in need of food support is referred to the Social Security Agency for a full and confidential benefit entitlement check. This assesses their entitlement not only to social security benefits but to a wide a range of additional government benefits, services and support.

My Department also offers a second layer of support, a named Community Outreach Officer will work closely with staff and volunteers to ensure that anyone who needs further benefit advice or help with making a claim is given the support they need immediately, in their own homes if necessary.

My Department has also undertaken specific research in Northern Ireland, to get a better understanding of who are the people using food banks, where are the busiest centres and how frequently are they being used. I have been very clear in the past that whilst I understand and value the work that food banks undertake, I do not believe that food banks should have a formal role in the social welfare system in Northern Ireland.

On the specific point of publicity materials it is important to understand that my Department works with and provides financial support for a large number of voluntary and community organisations. Jobs and Benefits Offices are public offices and it is the policy of my Department that the only publicity material available in Jobs and Benefits Offices should relate to how claimants can better access public services. I am sure the Member would recognise that allowing all voluntary and community organisations across Northern Ireland to publicise their services in Jobs and Benefits Offices would not make best use of the available space in the offices.

**Mrs Dobson** asked the Minister for Social Development (i) whether the Charity Commission have made payments to Senior Council in excess of £800 per hour or reading expenses at lesser rates; (ii) to detail the exact hourly rates paid to Senior Council; and (iii) how many hours Senior Council have been employed by the Charity Commission, in each of the last three years.

**(AQW 50306/11-16)**

**Mr Storey:**

- (i) The Commission has not made payments to Senior Counsel in excess of £800 per hour. When appropriate, the Commission has engaged Counsel on the Government Legal Services for Northern Ireland - Appointment of Civil Panel, terms and conditions. The Civil Panel list sets the hourly fee rate and applicable uplifts (if any). In all cases the hourly fee rate did not differentiate between, for example, attendance in court or reading.
- (ii) The following hourly rates (excluding VAT) were paid to Senior Counsel in each of the last three years:
  - 2012-13 £250 per hour;
  - 2013-14 Nil; and
  - 2014-15 £180 per hour and £210.
- (iii) Senior Counsel was employed by the Charity Commission for Northern Ireland for the following number of hours in each of the last three years:
  - 2012-13: 8 hours.
  - 2013-14 No Senior Counsel engaged.
  - 2014-15 119.2 hours.

**Mrs Dobson** asked the Minister for Social Development (i) to detail the rationale behind each potential declaration of a conflict of interest by members of the Charity Commission Northern Ireland Board at their meeting on 22 September 2014; and (ii) once a potential conflict of interest was declared whether (a) it was recorded; and (b) people recused themselves from the business relating to that potential conflict once they had made a declaration.

**(AQW 50308/11-16)**

**Mr Storey:**

- (i) The rationale behind each potential declaration of conflict at the Charity Commission for Northern Ireland Board meeting on 22 September 2015, or any Board meeting, is to ensure that where there is a conflict or potential conflict that these are addressed appropriately;
- (ii) Two potential conflicts of interest were declared at the Charity Commission for Northern Ireland Board meeting on 22 September 2015;
  - (a) the conflicts were recorded; and
  - (b) there was no need for the people involved to recuse themselves as the only business discussed was noting the fact that investigations cited in the declarations were open.

**Mr A Maginness** asked the Minister for Social Development, given the information compiled or recorded by the Compensation Recovery Unit, to detail (i) how many road traffic personal injury claims have been registered; and of those (ii) how many claimants registered were not legally represented, in each of the last three years.

**(AQW 50540/11-16)**

**Mr Storey:** Using the information compiled or recorded by the Compensation Recovery Unit:

- (i) the number of road traffic personal injury claims that have been registered in each of the last three years is:
  - 2012/13 = 20955
  - 2013/14 = 19925
  - 2014/15 = 19031
- (ii) the number of claimants registered who were not legally represented in each of the last three years is:
  - 2012/13 = 2852
  - 2013/14 = 3023
  - 2014/15 = 3518

**Mr A Maginness** asked the Minister for Social Development, given the information compiled or recorded by the Compensation Recovery Unit, to detail (i) how many road traffic accidents claimants were not legally represented; and (ii) how many were under the age of 18 in each of the last three years.

**(AQW 50541/11-16)**

**Mr Storey:** Using the information compiled or recorded by the Compensation Recovery Unit:

- (i) the number of road traffic accidents in which claimants were not legally represented in each of the last three years was:
  - 2012/13 = 2852
  - 2013/14 = 3023
  - 2014/15 = 3518
- (ii) the number of claimants who were not legally represented and who were under the age of 18 in each of the last three years was:
  - 2012/13 = 2143
  - 2013/14 = 2087
  - 2014/15 = 2003

**Lord Morrow** asked the Minister for Social Development whether (i) Employment and Support Allowance and Disability Living Allowance appellants are entitled to have their appeal hearing date adjourned, particularly in instances of a first request to adjourn to enable them to secure the advocate of their choice and to facilitate the timetable of the advocate in question; and (ii) the same criteria apply in the event of Employment and Support Allowance and Disability Living Allowance officials requesting an adjournment for any reason which may be relevant.

**(AQW 50685/11-16)**

**Mr Storey:** Decisions on adjournments are the responsibility of the Appeal Tribunal. The Appeal Tribunal is an independent judicial body and therefore not within the remit of responsibility of the Minister.

The President of the Appeal Tribunals is Mr John Duffy. Mr Duffy can be contacted directly at Office of the President of Appeal Tribunals, 6th Floor Cleaver House, 3 Donegall Square North, Belfast BT1 5GA.

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# Northern Ireland Assembly

Friday 20 November 2015

## Written Answers to Questions

### Department of Agriculture and Rural Development

**Lord Morrow** asked the Minister of Agriculture and Rural Development, pursuant to AQW 49727/11-16, why no such departmental reporting mechanism exists for sheep; and what consideration is being given to an introduction of such a mechanism.

**(AQW 50192/11-16)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The system for the identification and traceability of sheep is laid down by Council Regulation (EC) 21/2004 and the Sheep and Goats (Records, Identification and Movement) Order 2009. There is a requirement for keepers to notify DARD of sheep movements but not births and deaths.

In early 2016, my Department will provide a mechanism enabling keepers to update their flock details which will include recording sheep that are lost or stolen. Keepers will be able to update their flock details using APHIS-on-line (AoL) or by submitting a movement document (SG2) to their local DARD Direct Office. Publicity will be issued before the launch to inform keepers of the introduction of this facility.

**Mr Easton** asked the Minister of Agriculture and Rural Development what departmental grants are available to farmers.  
**(AQW 50204/11-16)**

**Mrs O'Neill:** The 2007-2013 Rural Development Programme (RDP) is being wound up at present, but it provided £14.13m of grant support to farmers through the Farm Modernisation Programme.

Going forward, the Farm Business Improvement Scheme (FBIS) within the 2014-2020 RDP, will be the main source of grant support for farmers. It will consist of a package of measures aimed at knowledge transfer, cooperation, innovation and capital investment.

The plan is to roll out the FBIS in stages with the early focus on making advice and support available to farmers through knowledge transfer to assist them in clearly identifying their needs and make informed decisions about investments in their business.

This first phase, Farm Business Development Groups (BDG's), opened for applications on 9 November and will close on 14 December 2015. The aim of BDG's is to help farmers improve their technical efficiency, improve their business management skills and introduce them to new technologies and innovative ways of working.

The main capital intervention is the proposed Business Investment Scheme (BIS), aimed at assisting on-farm efficiency by supporting those who wish to invest to improve farm practices, grow their business and increase farm competitiveness. It is likely to be provided in a tiered manner linked to the needs identified by the farmer, and will open in 2016.

I opened the new Forestry Grant Schemes (The Forest Expansion Scheme, Forest Protection Scheme and Woodland Investment Grant) on 10 November. Applications for new woodland planting under the Forest Expansion Scheme must be submitted to Forest Service by 3p.m. Monday 4 January 2016 for tree planting this winter. These schemes will encourage creation of larger woodlands, support restoration of woodland damaged by pests and improve the resilience and environmental value of existing woodland.

**Mr Weir** asked the Minister of Agriculture and Rural Development for an update on her Department's access to the Criminal Record Viewer to help enforce animal welfare.

**(AQW 50217/11-16)**

**Mrs O'Neill:** Further to my response to AQW 46844/11-15, my Department is working with the Department of Justice to finalise service level and data-sharing agreements with the intention of finalising arrangements by the end of this month.

**Mr Swann** asked the Minister of Agriculture and Rural Development what action will be taken on members of Local Action Group boards that do not attend mandatory training.

**(AQW 50226/11-16)**

**Mrs O'Neill:** My officials have confirmed that any Local Action Group (LAG) Board member who has not attended the relevant mandatory training will be unable to participate in the decision making processes of the LAG Board. For example if a member has not attended 'Assessment panel' training then they cannot sit on an assessment panel. Ultimately if they cannot carry out the functions of a LAG Board member then they should be replaced.

**Mr Swann** asked the Minister of Agriculture and Rural Development whether decisions taken by members of Local Action Group boards that have not under taken the mandatory training will be open to challenge.

**(AQW 50227/11-16)**

**Mrs O'Neill:** Any Local Action Group Board member not fulfilling the required level of mandatory training will be unable to participate in any decision making role, for example assessing applications, and therefore they will not be open to challenge.

**Mr Dallat** asked the Minister of Agriculture and Rural Development for a breakdown of the departmental funding awarded to projects or groups in (i) Limavady; (ii) Coleraine; (iii) Ballymoney; and (iv) Moyle, in each of the last three years.

**(AQW 50276/11-16)**

**Mrs O'Neill:** The Department of Agriculture and Rural Development has awarded a total of £12,145,735 to projects or groups in Limavady, Coleraine, Ballymoney and Moyle from the 1 April 2012 to 31 March 2015. This is broken down in the table below.

**DARD Project / Group Spend**

	<b>Limavady £'000</b>	<b>Coleraine £'000</b>	<b>Ballymoney £'000</b>	<b>Moyle £'000</b>
<b>2012/13</b>				
Countryside Management Scheme	-	-	-	13
Rural Development Programme	486	529	498	544
Tackling Rural Poverty and Social Isolation	59	-	-	120
Regional Food Programme	-	-	-	-
Forest Service	-	-	-	-
<b>2012/13 Total</b>	<b>545</b>	<b>529</b>	<b>498</b>	<b>677</b>
<b>2013/14</b>				
Countryside Management Scheme	-	-	-	12
Rural Development Programme	1,529	1,135	740	1,228
Tackling Rural Poverty and Social Isolation	83	36	18	132
Regional Food Programme	-	-	-	-
Forest Service	-	-	-	14
<b>2013/14 Total</b>	<b>1,612</b>	<b>1,171</b>	<b>758</b>	<b>1,386</b>
<b>2014/15</b>				
Countryside Management Scheme	18	22	-	93
Rural Development Programme	1,182	1,248	843	604
Tackling Rural Poverty and Social Isolation	30	24	12	52
Regional Food Programme	-	-	-	5
Forest Service	-	-	-	430
<b>2014/15 Total</b>	<b>1,230</b>	<b>1,294</b>	<b>855</b>	<b>1,184</b>
<b>Total</b>	<b>3,387</b>	<b>2,994</b>	<b>2,111</b>	<b>3,247</b>

In addition to the funding noted above, the Department also funded the North Coast Community Partnership and Maximising Access in Rural Areas projects. As funding was made available at a project level, it is not possible to provide the geographical split requested. A split of the funding provided in each year is noted below:

- North Coast Community Partnership - £296k, (£80k 2012/13, £101k 2013/14 and £115k 2014/15); and
- Maximising Access in Rural Areas (Coleraine and Ballymoney only) - £112k (£36k 2012/13, £42k 2013/14 and £34k 2014/15).



**Ms Sugden** asked the Minister of Agriculture and Rural Development what consultation was carried out on the Agri-Food and Biosciences Institute 2020 Strategy, to ensure that the ongoing and future research needs of farmers remained a core part of its design.

**(AQW 50368/11-16)**

**Mrs O'Neill:** The development of AFBI's 2020 Strategy was driven in part by the significant budget pressures facing the public sector as a result of reductions in the Executive's block grant.

I consulted on DARD's draft 2015/16 budget spending and savings proposals from November 2014 to February 2015. This included the proposed £3m scaling back of the work programme assigned to AFBI by DARD. Responses to that consultation were received from a range of industry stakeholders.

Going forward, DARD's research agenda is defined within its Evidence and Innovation Strategy which is currently being refreshed. This will define the evidence needs of my Department as well as addressing the innovation needs of industry.

Although AFBI is our primary research provider, it is not our sole source of research and development.

**Ms Sugden** asked the Minister of Agriculture and Rural Development for her assessment of the impact that a 26 per cent cut to the Agri-Food and Biosciences Institute budget will have on the agri-food sector.

**(AQW 50369/11-16)**

**Mrs O'Neill:** On a like-for-like basis, the reduction to AFBI's 2015/16 budget is 11.5% compared with a reduction to DARD's overall budget of 15.1%.

My Departmental budget is being constrained by public sector budget cuts as a result of reductions to the Executive's block grant by the Tory Government in Britain. I have therefore had to prioritise my spending plans, taking account of the full range of Departmental responsibilities and the potential effect on frontline services. These plans include much more than the budget I allocate to AFBI. However, you will note that the reduction applied to AFBI's 2015/16 budget baseline is less than that for the Department as a whole.

**Ms Sugden** asked the Minister of Agriculture and Rural Development to detail the economic output from the agri-food sector, in each of the last five years.

**(AQW 50370/11-16)**

**Mrs O'Neill:** The economic output of the Agri-Food Sector (the agriculture sector plus the food and drinks processing sector) as measured by Gross Value Added for the last five years (for which data is available) is provided in the following table:

<b>Gross Value Added (GVA) £ Million</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
Agriculture	277.9	351.8	454.4	388.0	470.0	450.5
Food and Drinks Processing	617.8	636.6	643.0	681.9	717.7	N/A
<b>Total GVA for Agri-Food</b>	<b>895.7</b>	<b>988.4</b>	<b>1,097.4</b>	<b>1,069.9</b>	<b>1,187.7</b>	<b>N/A</b>

**Ms Sugden** asked the Minister of Agriculture and Rural Development how she will ensure that the Agri-Food and Biosciences Institute 2020 Strategy complements the plans set out in her Department's Going for Growth strategy.

**(AQW 50371/11-16)**

**Mrs O'Neill:** AFBI, like the rest of my Department, are subject to the budget constraints as a result of the Tory Government's cuts to the Executive's block grant. However, AFBI has defined its strategic priorities taking on board the ambitions of the Going for Growth strategy and has articulated its desire to grow its funding from other sources using the very substantial budget allocation that it continues to receive from DARD as the platform from which to leverage this additional funding. I welcome this approach, which is entirely consistent with the ambitions set out in Going for Growth.

We are currently developing some very exciting plans for the AFBI estate which would see AFBI consolidating onto a smaller number of sites with modern, efficient, leading edge facilities. Such facilities will underpin AFBI's scientific capabilities and its ability to bring in income from external sources. I hope to be in a position to bid for substantial capital funding to begin to deliver these plans during the next budget period.

**Mr Flanagan** asked the Minister of Agriculture and Rural Development for an update on plans to introduce compulsory testing for bovine viral diarrhoea.

**(AQW 50461/11-16)**

**Mrs O'Neill:** My Department has been working closely with Animal Health and Welfare NI (AHWNI) with a view to introducing compulsory BVD tag and testing as early as possible.

There has been some delay due to the need to resolve important issues; the main one being that AHWNI's database provider has introduced upgrades to its database in order to enable it to handle the volume of data associated with the introduction of

compulsory testing. These upgrades are currently undergoing verification testing to confirm both that they work reliably and that the upgraded database interfaces with my Department's APHIS system satisfactorily.

Subject to receiving the necessary assurances following these tests, I would hope to commence the legislative process in December, which will mean that the compulsory programme should commence in the early part of 2016.

**Mr McGlone** asked the Minister of Agriculture and Rural Development what priority her Department is giving to the prompt payment of the 2015 Basic Payment to farmers; and what assurances she can give that payments will not run into the next financial year, given the issues that this would cause around taxation.

**(AQW 50769/11-16)**

**Mrs O'Neill:** My Department is giving the prompt payment of Basic Payments to farmers the highest priority. I can give an assurance that farmers who have to date provided all of the necessary information to my Department will have their applications fully processed and payments issued by the end of the current financial year.

## Department of Culture, Arts and Leisure

**Ms Hanna** asked the Minister of Culture, Arts and Leisure to outline the rationale behind her recent decision to cut funding to the Arts Council by £870,000 and to give £500,000 to a Communities Festivals Fund.

**(AQW 50554/11-16)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Of the £500,000, £200,000 has been made available for a Cultural programme and £300,000 has been made available for Together: Building a United Community projects. Both of these are distinct from the Community Festivals Fund administered by the district councils.

I want to make clear that austerity is not the choice of the NI Executive nor is it my choice. I have been put in this position due to cuts imposed by the conservative government that continue to erode the block grant.

Due to the lack of a June monitoring round, I have been faced with having to re-prioritise my budget to deal with health and safety, statutory commitments, and my stated priorities -many of which are also consistent with the Executive's priorities, particularly Delivering Social Change and Together: Building a United Community.

While the absolute value of the reduction in the Arts Council budget is higher, at £870,000, than other organisations, it is the same percentage reduction as SportNI (9.1%). My Department's own budget has also been reduced by £416,000 and Libraries NI by £350,000.

I will continue to try to secure more funding for all cultural services. In the meantime, it is necessary to take difficult decisions in the context of the Conservative government's austerity programme.

**Ms Hanna** asked the Minister of Culture, Arts and Leisure how she proposed to redistribute the money that was cut from the Arts Council; and what was this money being redirected towards.

**(AQW 50555/11-16)**

**Ms Ní Chuilín:** I want to make clear that austerity is not my choice nor is it the choice of the NI Executive. My Department has been put in this position as a result of cuts imposed by the conservative government.

My Department's opening budget was £10m less than the previous year. In this context and due to the lack of a June monitoring round, I have had to re-consider the budget available to me to deal with health and safety, statutory commitments and my stated priorities to take actions and measures to tackle poverty, social exclusion and disadvantage.

To achieve this, I have had to reprioritise budgets not only in relation to the Arts Council but also my Department, the Arts Council, SportNI and LibrariesNI.

Part of this was to address statutory needs such as new regulations for the Public Record Office NI and board appointments for National Museums NI.

There were also a range of binding commitments, including funding for:

- Programmes run by the Governing Bodies to promote equality and tackle social exclusion;
- The Ministerial Advisory Group for Ulster-Scots (MAGUS);
- Cross Community Cultural Programme;
- Together: Building a United Community projects which are a key Executive priority;
- The highly successful Líofo programme;
- Increasing female participation in fishing;
- Creative Industries Development and Departmental led projects which tackle poverty and social exclusion; and
- The North West, continuing the legacy of the City of Culture.

**Ms Hanna** asked the Minister of Culture, Arts and Leisure how she plans to ensure that credible, transparent and accountable funding of all arts sectors can be maintained.

**(AQW 50556/11-16)**

**Ms Ní Chuilín:** All funding and accountability processes within my Department are in line with Government accounting practices and take account of propriety, regularity and value for money. The need for credible, transparent and accountable funding is not unique to the arts sector.

**Ms Hanna** asked the Minister of Culture, Arts and Leisure how her Department assessed the impact that the proposed cuts and redistribution of funds would have on the provision of the arts; and how it balanced that with funding decisions made about other functions within the Department.

**(AQW 50557/11-16)**

**Ms Ní Chuilín:** It is important to note that these are not my cuts, but cuts by the Conservative government. The collective Executive budget has been reduced very significantly, as has the DCAL budget. We started this year with £10m less than last year. In that context, it was not a question of whether this would have an impact, the question was how to reduce the impact on the most vulnerable whilst continuing to deliver on priorities such as health and safety and statutory obligations.

Given that we are now mid-year, many of my Arm's-Length Bodies' costs, such as salaries and building costs, are committed in the medium term. I had no alternative but to look to grant programmes for a significant part of the savings required. Therefore programmes by the Arts Council, Sport NI and the Department have inevitably been affected, as has Libraries NI.

While, in absolute terms, the cut against the Arts Council's grant programme is the largest, it is the same percentage reduction as Sport NI, which also had a 9.1% budget reduction amounting to £320,000. The Libraries budget was cut by £350,000 and the Department's budget by £416,000. It is therefore fair to say that the Arts have not been cut disproportionately.

I have heard from some of the organisations affected and I understand the difficulties they are facing. Organisations have indicated that there will be staffing consequences and cuts to programming. I will continue to promote the benefits of the arts and the Arts & Culture Strategy which I will introduce will also emphasise the importance of arts and culture to society.

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 49725/11-16, as the principle funder of Feile an Phobail (i) whether she was aware of this exhibition in advance of its opening; (ii) how this exhibition met her Department's equality and good relations policies; (iii) whether she attended the exhibition; and if so, (iv) on what date.

**(AQW 50742/11-16)**

**Ms Ní Chuilín:** Féile an Phobail receives financial support from a range of organisations one of which, the Arts Council, is sponsored by my Department. As part of the application process for all Arts Council award schemes, applicants must indicate their acceptance of an Equality of Opportunity and Good Relations Commitment which is contained within the application form. They must also provide a copy of the applicant organisation's Equal Opportunities policy.

I did not attend this exhibition in my role as Minister.

## Department of Education

**Mr Agnew** asked the Minister of Education whether his Department intends to issue guidance on serving processed pork following the publication of the World Health Organisation's report which concluded it causes cancer.

**(AQW 50325/11-16)**

**Mr O'Dowd (The Minister of Education):** The Department has issued detailed guidance on Nutritional Standards for School Lunches which are compulsory for all grant-aided schools. This ensures school meals deliver a healthy and well balanced diet. These standards were developed in conjunction with the Department of Health, Social Services and Public Safety (DHSSPS), the Public Health Agency (PHA) and the Food Standards Agency (FSA).

My officials regularly meet with officials in DHSSPS, FSA, PHA, school caterers and others to address all issues concerning food in schools, including research and reports that may impact on these standards. The current guidance reflects the latest DHSSPS advice which support the recommendations in the WHO report.

**Mr Newton** asked the Minister of Education to detail the number of teaching staff on temporary contracts in East Belfast, broken down by school.

**(AQW 50597/11-16)**

**Mr O'Dowd:** The Department is not the employer of teachers, and is not responsible for the appointment of teachers. Teachers are employed by the Board of Governors (BoG) for each school setting, and appointments are carried out in conjunction with the relevant employing authority; such as the Education Authority (EA) and the Council for Catholic Maintained Schools (CCMS) or in the case of Voluntary Grammar and Grant Maintained Integrated schools by individual BoGs.

Whilst the decision on whom to appoint to a particular post rests with the BoG of individual schools, the Department of Education has advised schools that they should recruit to vacancies on a permanent rather than a temporary basis unless the vacancy is clearly of a temporary nature.

The number of teaching staff on temporary contracts in East Belfast schools, broken down by school, is outlined in the table below. This information is provided by the EA and the CCMS, at October 2015.

School	Number of Teachers employed on temporary contracts
Strandtown Primary School	6
Elmgrove Primary School	*
Nettlefield Primary School	*
Orangefield Primary School	*
Ashfield Girls High School	*
Ashfield Boys High School	*
Grosvenor Grammar School	*
Wellington College	*
Brooklands Primary School	*
Dundonald Primary School	*
Dundonald High School	*
Longstone School	*
St Matthew's Primary School	*
St Joseph's Primary School	*
<b>Total</b>	<b>21</b>

#### Note

- \*Figures have been suppressed due to the small numbers involved. This is in accordance with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.
- The figures do not include teachers engaged by schools from NI Substitute Teachers' Register (NISTR) to provide urgent, short term cover for absent teachers.
- Information relating to Voluntary Grammar schools and Grant Maintained Integrated schools is not available.

**Mr Ó hOisín** asked the Minister of Education whether there are any plans for the Magilligan Field Centre.  
(AQW 50641/11-16)

**Mr O'Dowd:** The Education Authority is currently carrying out a review of all its outdoor centres, including Magilligan Field Centre.

**Mr Weir** asked the Minister of Education to detail the (a) number; and (b) composition of appointments to Boards of Governors for each education sector in nursery education.  
(AQW 50750/11-16)

**Mr O'Dowd:** The number of Governors in nursery education by category and sector is as follows:

Sector	EA Gov	DE Gov	Trustee Gov	Transferor Gov	Parent Gov	Teacher Gov	Total
Controlled	192	128	0	0	132	88	540
Maintained	64	32	124	0	34	32	286

**Mr Weir** asked the Minister of Education to detail the (a) number; and (b) composition of appointments to Boards of Governors for each education sector in primary education.  
(AQW 50751/11-16)

**Mr O'Dowd:** The number of Governors in primary education by category and sector is as follows:

Sector	EA Gov	DE Gov	Trustee Gov	Transferor Gov	Parent Gov	Teacher Gov	Total
Controlled	746	1	14	1536	743	490	3530
Controlled Integrated	76	12	30	48	76	54	296
Maintained	732	387	1460	30	386	376	3371
Irish Medium	56	9	106	0	21	21	213
GMI	0	92	138	0	92	46	368

**Mr Weir** asked the Minister of Education to detail the (a) number; and (b) composition of appointments to Boards of Governors for each education sector in post-primary education.

**(AQW 50752/11-16)**

**Mr O'Dowd:** The number of Governors in post primary education by category and sector is as follows:

Sector	EA	DE	Trustee Gov	Transferor Gov	Parent Gov	Teacher Gov	Total
Controlled	313	62	0	271	234	117	997
Controlled Integrated	20	0	12	10	20	10	72
Maintained	140	67	264	0	65	65	601
Irish Medium	4	1	8	0	2	2	17
Voluntary Grammar	0	213	346	0	80	80	719
GMI	0	60	90	0	60	30	240

**Mrs Overend** asked the Minister of Education to detail (i) a school's responsibility in relation to cyber bullying occurring outside normal school hours; and (ii) the current powers school staff possess to intervene in such circumstances.

**(AQW 50757/11-16)**

**Mr O'Dowd:** A school can only take action where any incident of bullying falls within the scope of its discipline policy. Typically this will restrict its ability to act to incidents occurring on school premises, within school hours, whilst pupils are travelling to or from the school, whilst they are representing the school or while pupils are otherwise under the control of school staff, such as during an organised school trip or after-school event.

Beyond these circumstances, responsibility for addressing bullying incidents lies solely with the parents and guardians of the pupils involved and guidance for schools on handling "out of school" incidents has not therefore been deemed necessary.

I am currently taking forward a new 'Addressing Bullying in Schools Bill' which will recognise cyber-bullying as one of the possible forms bullying can take. It was identified during the public consultation on this Bill that, disputes between pupils can begin with exchanges via social media before spilling over into physical or verbal bullying within the school itself. I recognise that in such complex situations it can be difficult for schools and parents to understand where they must take action and where they can expect the other party to do so.

The supporting guidance to the Bill will therefore specifically address cyber-bullying, providing greater clarity for both schools and parents on the boundaries of their respective responsibilities; and suggesting best-practice approaches for each to follow where the responsibility to act lies with them.

DE funds the regional Anti-Bullying Forum (NIABF). In addition to our guidance in support of the Bill, we have asked the Forum during 2015-16 to update its guidance on cyber-bullying and to prepare a section on cyber-bullying to extend its best practice guide for schools, "Effective Responses to Bullying Behaviour".

**Mrs Overend** asked the Minister of Education to detail the guidance given to schools with regard to cyber bullying occurring outside of normal school hours.

**(AQW 50758/11-16)**

**Mr O'Dowd:** A school can only take action where any incident of bullying falls within the scope of its discipline policy. Typically this will restrict its ability to act to incidents occurring on school premises, within school hours, whilst pupils are travelling to or from the school, whilst they are representing the school or while pupils are otherwise under the control of school staff, such as during an organised school trip or after-school event.



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**Mr McGlone** asked the Minister of Education for an update on the planned new build for Edendork Primary School.  
(AQW 50762/11-16)

**Mr O'Dowd:** The planning process for the new build for Edendork Primary School is currently at business case stage. It is anticipated that approval of this business case will be obtained early in the new calendar year. This approval will permit a design team to be procured to take forward the design of the new school.

**Mr McGlone** asked the Minister of Education for an update on the planned new build for Holy Family Primary School, Magherafelt.  
(AQW 50763/11-16)

**Mr O'Dowd:** There are no current plans for a new build at Holy Family Primary School (PS).

There are many school building projects I would like to fund and difficult decisions have to be made on how to invest the reduced capital budget available to me. This in no way implies that a project for Holy Family will not be considered for a new build at some later stage.

**Mr Rogers** asked the Minister of Education for a breakdown of the gender balance on each of his Department's publicly appointed boards and arm's-length bodies.  
(AQW 50830/11-16)

**Mr O'Dowd:** The gender balance for the public appointments made to the Non Departmental Public Bodies sponsored by my Department is as follows:

	Male	Female
Education Authority	8	13
Council for Catholic Maintained Schools	2	2
Diocesan Education Committees of the CCMS	5	2
General Teaching Council	1	2
Middletown Centre for Autism, Armagh - Board of Directors	1	4
Council for the Curriculum Examinations & Assessment	8	6
Youth Council for NI	3	3
Exceptional Circumstances Body	20	23
Council for Integrated Education	DE posts are currently vacant	
Comhairle na Gaelscoilíochta	DE posts are currently vacant	

**Mr Weir** asked the Minister of Education to detail the number of schools that are overseen by the (i) Council for Catholic Maintained Schools; (ii) Northern Ireland Council for Integrated Education; (iii) Comhairle na Gaelscolaíochta; and (iv) Governing Bodies Association Northern Ireland.  
(AQW 50857/11-16)

**Mr O'Dowd:** The Council for Catholic Maintained Schools has a statutory responsibility to ensure the effective management of catholic maintained schools by their boards of governors. It is also the employing authority for teachers in catholic maintained schools. In this context the Council oversees 471 schools.

While the Northern Ireland Council for Integrated Education, the Comhairle na Gaelscolaíochta and the Governing Bodies Association Northern Ireland may work with schools in their respective sectors, they do not have any formal oversight role in respect of schools

## Department for Employment and Learning

**Mr Weir** asked the Minister for Employment and Learning what strategies his Department is pursuing to encourage community based education provision for adult learners.

**(AQW 49796/11-16)**

**Dr Farry (The Minister for Employment and Learning):** The strategic aim of the NI European Social Fund (ESF) Programme 2014-2020 is to combat poverty and enhance social inclusion, by reducing economic inactivity and to increase the skills base of those currently in work and future potential participants in the workforce.

The 2014-2020 Programme will have five distinct funding streams focusing on support for specific groups of beneficiaries:

- Priority 1.1 – Individuals facing barriers to employment and economic activity;
- Priority 1.2 – Young people not in education, employment or training (NEET);
- Priority 2.1 – People with a disability;
- Priority 2.2 – Community-based support for families, aimed at preventing young people becoming NEET; and
- Priority 3 – Apprenticeships and Youth Training

The total value of the new ESF 2014-2020 Programme is €513.4m – over 20% more than the initial allocation to the previous programme. This amount is made up of €205.4m (40%) from the European Union, which requires 60% match funding of €308m.

Under the first call of the programme, which relates to projects operating from 2015-2018, 67 projects have been successful, of which the majority will be taken forward by community-based organisations in the voluntary and community sector.

Training suppliers, based across Northern Ireland, are contracted to deliver my Department's Training for Success and ApprenticeshipsNI programmes. Training suppliers are drawn from the Community, Private and Further Education sectors.

My Department's Further Education curriculum policy is based on high quality provision and clear progression routes for all learners. The policy has also been developed to ensure that, through the curriculum offer, further education colleges achieve an appropriate balance between provision that strengthens economic and workforce development, enhances social cohesion and advances the individual's skills and learning.

The promotion of social inclusion through education and learning is a priority for my Department and all six Further Education Colleges. Colleges provide a wide range of courses for adults across all of their main campuses, as well as in a number of community outreach centres. Courses delivered in the community enable individuals and small groups to undertake courses in an informal environment that help them gain the knowledge, skills and qualifications to develop employment and career prospects, while others, such as hobby and leisure activities offer individuals the opportunity to meet new friends and enjoy a new and rewarding learning experience.

Funding allocated to my Department in this financial year was severely reduced and as a result colleges had to make a number of very difficult decisions, particularly in relation to part time community outreach provision. However, colleges are fully committed to ensuring that community educational provision continues to be available across all areas albeit on a reduced basis.

In addition, colleges have developed their own Community Strategies and have responded well to the need to source other income streams for community provision to enable them to maximise the number of opportunities they can offer to learners, by working in partnership with a range of organisations including Neighbourhood Renewal and Big Lottery.

**Ms McCorley** asked the Minister for Employment and Learning for a breakdown of any investment, including capital his Department has made in West Belfast since May 2011.

**(AQW 50088/11-16)**

**Dr Farry:** Investment, including capital, since May 2011 is detailed below. Where possible, I have provided this for the West Belfast area. However, for some projects, it has not been possible to disaggregate to this specific area.

### 1 United Youth Programme

My Department is currently leading, on behalf of the Executive, on the development of the United Youth Programme. This is a good relations programme that will provide flexible, high-quality, young-person-centred opportunities for 16–24 year olds who are not in education, employment or training. Funding of £3m was secured via the Executive's Change Fund to deliver the pilots in 2015/16. Pilot activity is across all geographical areas of Northern Ireland and it is not possible to specify the amount of funding relating to West Belfast. Further information on the United Youth Pilots, including the names of the organisations delivering pilots, may be found on DEL's website at [www.delni.gov.uk/news/farry-launches-united-youth-pilot](http://www.delni.gov.uk/news/farry-launches-united-youth-pilot).

**2. Higher Education: St Mary's University College**

St. Mary's University College is situated in West Belfast. Since May 2011 the College has received the following investment from DEL:

	2011/12	2012/13	2013/14	2014/15	2015/16
Recurrent Block Grant	£5,098,265	£4,792,369	£4,657,567	£4,533,743	£4,304,480
Other Recurrent funding (PGCE & Access Funds)	£138,047	£134,259	£74,529	£35,000	£35,000
Capital	£147,214	£337,591	£450,000	£1,221,707 <sup>1</sup>	

<sup>1</sup> April 2014 to September 2015

**3. Further Education: Belfast Metropolitan College**

Since May 2011, my Department has provided Belfast Metropolitan College with capital funding totalling £10.1m (see breakdown below) to complete the 'e3' facility at its Springvale campus. The 5,000m<sup>2</sup> building is a model of best practice in environmental development. Its design centres on a number of key operating zones, which are linked to both the College's curriculum and a range of priority workforce development activities.

2011/2012	2012/2013
£7,392,860	£2,729,201

My Department also provides (i) capital funding to cover minor works projects across the College's estate and (ii) an annual block grant to cover the running costs of Belfast Metropolitan College as detailed below. However, my Department does not hold a breakdown of how this is invested across each of the College's campuses, including its facilities in West Belfast. You may wish to contact the Principal of the College, who may be in a position to provide the information you require (Marie-Therese McGivern, 028 90265163 / mmcgivern@belfastmet.ac.uk).

	2011/12	2012/13	2013/14	2014/15	2015/16
Capital Minor Works	£nil	£0.65m Grant in Aid	£0.73m Grant in Aid	£0.69m Grant in Aid	£2m (£1.78m College reserves/£0.22m Grant in Aid)
Annual block grant	£33,230,416	£34,442,000	£33,575,222	£34,822,733	N/a

**4. Collaboration and Innovation Fund (CIF)**

Four projects offered assistance to young people in the West Belfast area for young people not in education, employment or training to help them move closer to positive destinations. These projects ended on 29th March 2015 and funding is detailed as follows. (Some residual funding will be paid at the end of 2015/16 but these figures are not yet available):

Project Name:	2012/13	2013/14	2014/15
Now Project	£56,738	£182,774	£213,541
Extern	£nil	£78,296	£164,797
Fit 4 Life	£68,298	£224,415	£426,750
Belfast Met	£7,750	£213,804	£392,354

**5. Community Family Support Programme (CFSP)**

The Community Family Support Programme (CFSP) was a pilot programme from 2012 to March 2015, delivered in five contract areas across NI that mirrored the Health and Social Care Trust Areas. Upper Springfield Development Trust was the lead provider in the Belfast contract area with one CFSP Co-ordinator and four Family Liaison Officers to work with families and young people disadvantaged with multiple health, social and economic issues. However, it has not been possible to disaggregate the funding specific to West Belfast and the figures below are for the whole of NI.

Project Name:	2012/13	2013/14	2014/15
Community Family Support Programme	£149,505	£76,586	£2,392,873

**6. Local Employment Intermediary Service (LEMIS)**

This was a community employment initiative designed to help the "hardest to reach" in targeted areas to find employment which ended on 31st March 2015. The service was delivered by community organisations aimed at helping unemployed people in the community overcome issues that may be preventing them from finding and keeping a job.

Project Name:	2011/12	2012/13	2013/14	2014/15
Job Assist Centres West Belfast	£223,311	£252,870	£273,024	£246,300
Shankill Job Assist Centre	£167,979	£161,557	£177,722	£180,136

## 7. Employment Service

My Department's Employment Service has a number of programmes across Northern Ireland. However, it has not been possible to disaggregate the actual amounts invested in the West Belfast area alone.

Name of project	1 May 2011 to 31 March 2012	2012 /13	2013/14	2014/15	2015/16 (to 29 Oct 15)
Workforce II - NOW and Stepping Stones	Disability Employment Service, ESF public match funding £113,876	Disability Employment Service, ESF public match funding £117,863	Disability Employment Service, ESF public match funding £161,734	Disability Employment Service, ESF public match funding £161,734	Disability Employment Service, ESF public match funding Nil to date
Step to Work (StW)	£5.635m	£3.145m	£3.329m	£1.846m	£0.088m
Employment Service Support (ESS)				£0.480m	£0.365m
Steps 2 Success (S2S)				£1.719m	£3.342m

- Workforce II investment covers the Lisburn and West Belfast areas.
- Steps to Work ran from September 2008 with the last participants entering the programme by 25 August 2014. It was delivered in West Belfast by Springvale Learning.
- Employment Service Support (ESS) launched on 2 June 2014 with the last participants entering the programme by 31 March 2015. ESS was delivered in West Belfast by Springvale Learning.
- Steps 2 Success launched on 20 October 2014. It is delivered in the Belfast contract area by Ingeus. It is not possible to disaggregate spend for West Belfast from the contract area spend.

## 8. Training for Success/ApprenticeshipsNI

Training for Success (including Programme-Led Apprenticeships) is a programme designed for young people aged 16-17, under 22 years for those with a disability, and under 24 years for those who qualify under the Children (Leaving Care) Act (NI) (2002). The programme provides training for learners who have not yet found full-time employment. It is designed to enable learners to progress to higher level training, further education or employment by providing training to address personal and social development needs, and develop occupational and employability skills and, where necessary, Essential Skills training.

ApprenticeshipsNI aims to provide participants with the opportunity to take part in a Level 2/Level 3 Apprenticeship where the apprentice, in paid employment from day one, works towards achieving an industry-approved Level 2/Level 3 Apprenticeship Framework.

Details of funding from May 2011 in the West Belfast area are set out in the tables below. No capital funding is provided on these programmes.

TFS2008/ ApprenticeshipsNI - Includes residual Jobskills	Payments Made				
Suppliers	2011/12	2012/13	2013/14	2014/15	2015/16 (to 30 Sep 15)
Belfast College Training & Education	£1,044,309	£1,410,376	£976,805	£276,327	£11,750
Belfast Metropolitan College	£3,789,262	£3,995,514	£2,820,341	£1,285,574	£93,601
Dairy Farm People First	£5,578,159	£5,292,154	£3,646,066	£1,373,215	£101,768
Hair Academy	£2,819,587	£2,613,163	£2,323,582	£738,656	£76,065
Impact	£1,398,856	£1,399,411	£901,505	£326,734	£45,112
Paragon	£755,414	£732,100	£414,538	£139,905	£11,666
Springvale	£2,084,196	£2,183,291	£1,771,696	£739,629	£87,109
Workforce	£2,582,288	£2,730,466	£2,005,933	£753,361	£78,221

<b>TFS2013/Apprenticeships 2013</b>	<b>Payments Made</b>				
<b>Suppliers</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16 (to 30 Sep 15)</b>
Belfast College Training & Education	N/A	N/A	£400,314	£938,361	£1,706,784
Belfast Metropolitan College	N/A	N/A	£558,085	£2,059	£3,602,305
Dairy Farm People First	N/A	N/A	£393,534	£1,754,878	£1,033,612
Hair Academy	N/A	N/A	£670,591	£1,821,165	£3,337,129
Impact	N/A	N/A	£227,294	£724,421	£1,298,016
Paragon	N/A	N/A	£104,466	£407,996	£750,313
Springvale	N/A	N/A	£418,955	£1,208,762	£2,252,496
Workforce	N/A	N/A	£617,870	£1,567,718	£2,989,471

**Mr Easton** asked the Minister for Employment and Learning to detail the seating capacity for the performing Arts and Technology Innovation Centre at the South Eastern Regional College in Bangor.

**(AQW 50238/11-16)**

**Dr Farry:** The South Eastern Regional College Performing Arts, Computing and Engineering (SPACE) facility in Bangor has a total seating capacity in excess of 350 across all the performing arts elements of the building. The main auditorium has a fixed seating capacity of 167 which can be extended to 200 depending on the type of performance being staged.

**Ms Sugden** asked the Minister for Employment and Learning to detail (i) how he plans to support the study of the Chinese language and culture; and (ii) whether there are plans for further investment.

**(AQW 50320/11-16)**

**Dr Farry:** My Department provides funding and sets the strategic direction for the higher and further education sectors. However, decisions regarding course provision and curriculum, including Chinese language and culture, are a matter for individual institutions.

My Department does not currently allocate any specific funds to our universities for the study of Chinese language and culture and has no plans to do so. However, my Department funds the UK wide Study China programme. This funding enables up to 45 Northern Ireland students to avail of a three week cultural mobility opportunity to partner universities in China. This funding is in place to July 2016, and future funding will be considered as part of the spending review.

**Ms Sugden** asked the Minister for Employment and Learning, pursuant to AQW 48696/11-16, whether a decision regarding the preferred option for the accommodation needs of the Northern Regional College has been made, and when it will be announced.

**(AQW 50321/11-16)**

**Dr Farry:** A final Outline Business Case was received from the Northern Regional College on 15 October 2015 and is being assessed by my Department. It sets out the College's proposals for addressing its accommodation needs in the Coleraine, Ballymoney and Ballymena areas.

Following my acceptance of the Business Case proposals, further approval will be required from the Department of Finance and Personnel before the College's plans can be made public.

**Mr Dallat** asked the Minister for Employment and Learning to detail how he evaluates the financial support provided to universities in terms of (i) academic courses; (ii) job creation; and (iii) contribution to the community.

**(AQW 50322/11-16)**

**Dr Farry:** The universities are autonomous bodies and decide on their own course offerings. However, as part of the Higher Education Strategy for Northern Ireland, Graduating to Success, the universities are looking at the rebalancing of their courses, so that qualifications offered more closely reflect the needs of the economy. Indeed, despite the recent reduction in university funding, both universities have undertaken to protect the economically important narrow STEM courses.

In terms of the wider evaluation of universities in relation to job creation and impact on our communities and economy, I commissioned a review of the sector which completed in January 2015. The report by Viewforth Consulting Ltd on "The economic impact of higher education on the Northern Ireland economy" clearly demonstrates the important contribution made by our universities.

The research has shown that in 2012-13 Northern Ireland's higher education institutions directly created over 6,000 jobs and indirectly created almost 12,000 in Northern Ireland. That means for every job created almost another two were created in other parts of the economy.



As well as creating jobs, higher education institutions and their students also make significant contributions to the economy by generating spending and other types of economic activity.

As with job creation, direct spending can create knock-on spending which ripples through other parts of the economy. For example, higher education institutions spend money on staffing costs, and when those staff spend their salaries in other parts of the economy this represents knock-on spending. In total, in 2012-13 Northern Ireland's higher education institutions and their students generated over £1.6 billion of spending in the Northern Ireland economy.

**Mr Dallat** asked the Minister for Employment and Learning to detail what financial structures are in place to scrutinise expenditure by universities in terms of value for money.

**(AQW 50324/11-16)**

**Dr Farry:** Our universities are required to demonstrate that value for money has been achieved. To this end they submit an annual value for money report to my Department as part of the annual accountability process. The need to demonstrate value for money has also been highlighted in the Diamond report, issued by Universities UK, which recognises that efficiency and effectiveness are key priorities for the UK higher education sector. The report is available at the following link:

<http://issuu.com/universitiesuk/docs/efficiencyeffectivenessvalueformone/1?e=15132110/11601172>

A key guiding principle within the Diamond report has been to ensure that efficiency is seen as part of a wider strategic objective to enhance the effectiveness of universities and ensure that they continue to deliver high quality teaching and research, rather than simply find mechanisms for short-term cost savings. The achievement of value for money is particularly important in light of the current funding environment and the ongoing financial challenges which this poses.

**Mr Flanagan** asked the Minister for Employment and Learning for an update on the relocation of the South West College's Enniskillen campus.

**(AQW 50326/11-16)**

**Dr Farry:** Following the purchase of a site for the new campus on the former Erne Hospital site in March 2015, the South West College has been working with my officials and with Central Procurement Directorate in the Department of Finance and Personnel, on the procurement of an Integrated Consultancy Team. The Consultancy team will develop the design of the new campus and progress any planning application required.

Tenders were received on 9 October 2015 and are currently being assessed. It is anticipated that a design team will be in place by end November 2015 with a forecast start date for construction in July 2017, subject to the availability of funding.

The relocation cannot take place until construction and fit out have been fully completed and the building has been formally handed over to the College. At present this is anticipated to be in summer 2019.

**Mr Easton** asked the Minister for Employment and Learning to detail the cost to build the Performing Arts and Technology Innovation Centre at the South Eastern Regional College in Bangor.

**(AQW 50391/11-16)**

**Dr Farry:** The final capital cost of the SPACE building (South Eastern Regional College's Performing Arts, Computing and Engineering facility), formerly referred to as the Performing Arts and Technology Innovation Centre, cannot be confirmed at this stage. The approved project sum is £11.659 million, and I can confirm that the estimated projected expenditure outcome is within this specified budget.

My Department does not hold the information requested in AQW 50392/11-16 or AQW 50393/11-16. Consequently, I would advise the Member to address these queries directly to Mr Ken Webb, Principal and Chief Executive of South Eastern Regional College. His contact details are:

Mr Ken Webb

Principal and Chief Executive, South Eastern Regional College, Castle Park Road, Bangor, County Down BT20 4TD

Email: [Kenwebb@serc.ac.uk](mailto:Kenwebb@serc.ac.uk)

Telephone number: 02891 276629

**Mr Easton** asked the Minister for Employment and Learning to detail the arts and acting groups in North Down that are permitted to make use of the Performing Arts and Technology Innovation Centre at the South Eastern Regional College in Bangor.

**(AQW 50392/11-16)**

**Dr Farry:** The final capital cost of the SPACE building (South Eastern Regional College's Performing Arts, Computing and Engineering facility), formerly referred to as the Performing Arts and Technology Innovation Centre, cannot be confirmed at this stage. The approved project sum is £11.659 million, and I can confirm that the estimated projected expenditure outcome is within this specified budget.

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Mr Ken Webb

Principal and Chief Executive, South Eastern Regional College, Castle Park Road, Bangor, County Down BT20 4TD

Email: Kenwebb@serc.ac.uk

Telephone number: 02891 276629

**Mr Easton** asked the Minister for Employment and Learning to detail the arts and acting groups that were consulted before the Performing Arts and Technology Innovation Centre was built at the South Eastern Regional College in Bangor.

**(AQW 50393/11-16)**

**Dr Farry:** The final capital cost of the SPACE building (South Eastern Regional College's Performing Arts, Computing and Engineering facility), formerly referred to as the Performing Arts and Technology Innovation Centre, cannot be confirmed at this stage. The approved project sum is £11.659 million, and I can confirm that the estimated projected expenditure outcome is within this specified budget.

My Department does not hold the information requested in AQW 50392/11-16 or AQW 50393/11-16. Consequently, I would advise the Member to address these queries directly to Mr Ken Webb, Principal and Chief Executive of South Eastern Regional College. His contact details are:

Mr Ken Webb

Principal and Chief Executive, South Eastern Regional College, Castle Park Road, Bangor, County Down BT20 4TD

Email: Kenwebb@serc.ac.uk

Telephone number: 02891 276629

**Mr Weir** asked the Minister for Employment and Learning, pursuant to AQW 49389/11-16 and AQW 49602/11-15, why is his Department unable to break down the support structure costs of £1.14m.

**(AQW 50433/11-16)**

**Dr Farry:** As I explained in my response to AQW 49602/11-16, the figure of £1,141,646 relates to the general costs incurred under the European Social Fund (ESF) 2007-2013 Programme support contract.

Whilst the general costs involved relate to salaries, premises costs and insurance, claims were not broken down into these individual categories. It is therefore not possible to disaggregate the total sum into separate categories.

**Mr Weir** asked the Minister for Employment and Learning, pursuant to AQW 49422/11-16, to detail (i) the number of staff that are covered by the £1.035m spend on departmental staff salaries, for the period August to December 2015; and (ii) how this compares, in terms of value for money, to the priority three project costs of £1.14m over a seven year period.

**(AQW 50434/11-16)**

**Dr Farry:** The £1.035m referred to is the estimated resource set aside to cover staff salaries. The number of staff detailed to work on both the European Social Fund (ESF) 2007-2013 Programme and the 2014-2020 Programme between August and December 2015 is as follows:

Month	ESF Managing Authority	Contract Staff	Additional Departmental Resources
August 2015	23		
September 2015	24		
October 2015	21		
November 2015	20	8	10
December 2015	20	8	10

The Priority 3 project costs of £1.14m referred to relate to the overall costs of the Department's contract with Proteus. These costs include salaries, rent/rates, heat and light, telephone, postage and stationery and insurance. It is therefore impossible to undertake a like-for-like value for money comparison.

**Mr Weir** asked the Minister for Employment and Learning, pursuant to AQW 49422/11-16, why did his Department transfer £1.5m from Priority 3 to Priority 2 of the European Social Fund 2007-2013 Programme.

**(AQW 50435/11-16)**

**Dr Farry:** The decision to transfer £1.5m from Priority 3 to Priority 2 arose as one of a number of required actions resulting from the European Commission's decision to place an Interruption on the 2007 - 2013 ESF Programme. This Interruption was

due to management and control issues relating to the Voluntary and Community Projects, as identified by the Audit Authority in their annual control report.

As part of a range of actions taken by the NI ESF Managing Authority to address the audit concerns, it was agreed with the European Commission that no further Priority 1 open call (Voluntary and Community) project expenditure would be included in claims to the Commission.

However, in order to ensure that Northern Ireland received its full ESF allocation for the 2007-13 programming round, it was necessary to introduce alternative eligible low-risk government programme expenditure.

Accordingly, Training for Success expenditure, together with increased amounts of Programme Led Apprenticeships expenditure (both of which are eligible for inclusion), were brought into Priority 1 to replace the amount of Voluntary and Community expenditure that could not now be claimed. The interruption on Priority 2 was lifted, and there was an increase in the expenditure in that Priority area, allowing the Department to maximise the draw-down of its overall allocation. Removal of activity from Priority 3, and subsequent transfer of £1.5m to Priority 2, has also afforded the opportunity to increase expenditure within the other Priorities to meet their pressures.

The overall total of the Programme remained unchanged, and this transfer was approved by both the ESF Programme Monitoring Committee and the European Commission. The transfer will also have no impact on the intended outcomes of the Programme.

**Mr Easton** asked the Minister for Employment and Learning to detail whether his Department held any meetings with the former North Down Borough Council or whether it was consulted before building the Performing Arts and Technology Innovation Centre at South Eastern Regional College in Bangor.

**(AQW 50469/11-16)**

**Dr Farry:** I met with the North Down Council Chief Executive Officer and Group Leaders on 28 May 2013 to discuss the Performing Arts and Technology Innovation Centre proposals. A Project Board was established by the College to take forward all aspects of the development, including consultation with interested parties. This consultation included discussions with representatives from the former North Down Borough Council. If you require further details of these meetings I would advise you to contact Mr Ken Webb, Principal and Chief Executive of South Eastern Regional College directly.

**Mr Weir** asked the Minister for Employment and Learning, pursuant to AQW 49604/11-16, to detail why travel was arranged by Proteus NI given that all NICS staff travel must use the NICS-wide travel contract.

**(AQW 50499/11-16)**

**Dr Farry:** Proteus NI has held contracts with my Department to offer assistance to the ESF Managing Authority in delivering both the main ESF programme and associated Learning Networks, which included arranging travel for project promoters, Departmental staff and their own staff, in line with the procedures outlined in my answer to AQW 50438/11-16.

**Mr Weir** asked the Minister for Employment and Learning, pursuant to AQW 49600/11-16, to detail the breakdown of taxi costs at £100.20, including the reason for the costs.

**(AQW 50516/11-16)**

**Dr Farry:** The breakdown of these costs is as follows:

■ Taxi to Belfast City Airport:	£8.50
■ Taxi from Belfast City Airport:	£9.50
■ Taxi from Brussels Airport to hotel:	£39.74
■ Taxi from hotel to Brussels Airport:	£42.46
■ <b>Total:</b>	<b>£100.20</b>

**Mr Weir** asked the Minister for Employment and Learning, pursuant to AQW 49684/11-16 and given that the whole Technical Assistance budget for the 2014-2020 European Social Fund Programme has not been profiled, to detail how his Department knows how many staff they plan to employ through this budget.

**(AQW 50518/11-16)**

**Dr Farry:** As with all areas of its work, the Department calculates the number of staff required through workforce and business planning exercises, by scoping future activity, and subsequently allocating an appropriate number of staff to this activity. This is, by its nature, an iterative process and is therefore subject to potential change.

**Mr Swann** asked the Minister for Employment and Learning to detail why his Department is funding the unequal delivery of support to unemployed people in Mid and East Antrim compared to Mid Ulster as a consequence of the Job Match Programme administered by Network Personnel.

**(AQW 50520/11-16)**

**Dr Farry:** Network Personnel's profiled targets for provision under the ESF-funded Job Match project aim to deliver training and support to exactly the same number of participants in Mid Ulster District Council as in Mid and East Antrim Borough Council. This amounts to 327 participants per council area over the 3-year lifespan of the project.

**Mr Allister** asked the Minister for Employment and Learning, pursuant to AQW 49562/11-16, was the display at St Mary's University College Belfast compatible with Section 75 obligations.  
(AQW 50538/11-16)

**Dr Farry:** While my Department highlights, to all higher education institutions, their responsibility to adhere to relevant legislation, assurance of compatibility with Section 75 is not within my Department's remit.

**Mr Weir** asked the Minister for Employment and Learning to detail how his Department plans to meet its Article 10 Obligations given that it no longer employs Proteus NI in the 2014-2020 European Social Fund Programme and has not yet budgeted for transnational activity on an ad hoc basis.  
(AQW 50584/11-16)

**Dr Farry:** I have already answered this question in my response to AQW 49665/11-16.

**Mr Weir** asked the Minister for Employment and Learning how many groups, awarded under the 2014-2020 European Social Fund Programme, have had to reprofile their budgets as a result of them not being able to secure full match-funding.  
(AQW 50585/11-16)

**Dr Farry:** Under Year 1 of the 2014-2020 European Social Fund (ESF) Programme, there are 24 projects which have re-profiled their budgets, due to changes in anticipated match funding.

**Mr Weir** asked the Minister for Employment and Learning, pursuant to AQW 49389/11-16 and AQW 49602/11-16, to detail how his Department, as a responsible Managing Authority, is not able to break this data down.  
(AQW 50586/11-16)

**Dr Farry:** As I have stated in my previous two responses, whilst the general costs involved relate to salaries, premises costs, and insurance, claims were not broken down into these individual categories. It is therefore not possible to disaggregate the total sum into separate categories.

**Mr Weir** asked the Minister for Employment and Learning, pursuant to AQW 49606/11-16, to detail the page number of the Promoter's Operating Manual, or any other document issued, that states the requirement of participants of the 2007-13 European Social Fund Programme to present themselves to jobs and benefits offices.  
(AQW 50587/11-16)

**Dr Farry:** The requirement for participants on the 2007-2013 European Social Fund (ESF) Programme to present themselves to Jobs and Benefits Offices, as is the case for all people in receipt of benefits, is contained in various regulations in The Social Security (Claims and Payments) Regulations 1987.

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning for an update on the timeline for a decision on the Ulster University Magee Business Case.  
(AQW 50592/11-16)

**Dr Farry:** I provided an update to the member in September this year on this topic and not much has changed in the interim. A draft of the business case was resubmitted in late June. However, some issues required further clarification as is the norm in any complex business case. My officials are awaiting receipt of a revised business case.

**Mr McGlone** asked the Minister for Employment and Learning to detail (i) the number of JTI employees supported through his Department's training programmes since the announcement of the plant closure; and (ii) the total spend to date on retraining JTI employees before the final closure.  
(AQW 50622/11-16)

**Dr Farry:** My Department has been in regular contact with Japan Tobacco International (JTI) since the announcement of the factory closure to discuss a number of issues including training.

JTI appointed an Outplacement Provider to carry out a skills audit of the current staff. As a result of this exercise, six courses which can be delivered by the Further Education sector were identified and presented to Departmental officials for possible support. Due to the shift patterns at JTI it will not be possible for all staff to attend these courses through the normal college timetabled courses.

I have, therefore, agreed to provide support towards the delivery of these courses specifically for JTI staff. A meeting has been arranged by Departmental officials with JTI and Northern Regional College (NRC) on 12 November to discuss putting arrangements in place for the delivery of the courses.

The information provided to the Department indicates that a total of 157 JTI staff have requested these courses. The amount of funding will be determined by the number of staff that chooses to take up the courses once they have been scheduled.

There are six essential skills classes currently operating and being delivered by NRC. Four of these are in ICT, one in communication (literacy) and one in application of number (numeracy). There are a total of 65 JTI staff undertaking the essential skills courses. These courses are fully funded by my Department and the approximate cost will be £20,000 which will be paid to NRC upon completion of the courses.

I understand that JTI will also be providing assistance for training which is separate to the support available through my Department.

My Department will continue to work with JTI and other agencies to provide staff with the assistance and advice they require prior to their redundancy. This may centre on alternative job opportunities, mentoring, access to further training courses, entrepreneurship, education opportunities and careers advice; as well as a range of other issues such as benefits and taxation. This service is always delivered free of charge to the company and employees facing redundancy.

**Mr McKay** asked the Minister for Employment and Learning what actions his Department has taken to improve uptake of the cycle to work scheme.

**(AQW 50655/11-16)**

**Dr Farry:** My Department participates in the NICS Cycle to Work Scheme and there is a designated contact within the Department. The Cycle to Work Scheme is now an established NICS-wide scheme and continues, as an open ended scheme, which has been available to all Civil Servants since February 2013.

**Mr Middleton** asked the Minister for Employment and Learning for his assessment of the success of the recent jobs fair on Wednesday 23 September 2015 in the Millennium Forum, Londonderry; and to detail the numbers of employers and job seekers in attendance.

**(AQW 50661/11-16)**

**Dr Farry:** The recent Job Fair in the Millennium Forum was a successful event attracting 27 employers, offering 550 jobs. Just over 2,000 jobseekers attended the event. To date, three employers have confirmed that they have recruited 26 jobseekers directly from the event. Further updates from employers are anticipated on completion of their recruitment process.

A range of onsite workshops provided jobseekers with the opportunity to obtain information on potential careers with companies such as Convergys, Fujitsu and Debenhams. A Job Club, facilitated by the local Jobs and Benefits Office, offered advice and guidance on skills and techniques to improve an individual's prospect of finding employment.

Feedback gathered from both employers and clients indicates that the event was a success in meeting both the needs of employers, support/training organisations and those jobseekers who attended. Results from the exit survey confirm that 95% of jobseekers found the Job Fair very beneficial.

**Mr Allister** asked the Minister for Employment and Learning what material is held on the geographical distribution of the residency of the workforce of Michelin Ltd and, if available, how does it break down either by parliamentary constituency or council area.

**(AQW 50697/11-16)**

**Dr Farry:** My Department does not hold specific residency information on Michelin employees.

**Ms McGahan** asked the Minister for Employment and Learning to detail how much European Social Funding has been paid to the community and voluntary sector in the Fermanagh South Tyrone & Dungannon District Council area in each of the past 5 years.

**(AQW 50773/11-16)**

**Dr Farry:** Under the 2007-2013 European Social Fund (ESF) Programme, the following funding was paid to organisations based in the Fermanagh South Tyrone and Dungannon District Council area:

Financial Year	Total ESF Funding
2011/12	£502,011.79
2012/13	£448,158.69
2013/14	£624,458.60
2014/15	£665,418.66

Under the 2014-2020 ESF Programme, £313,077 has been allocated from the ESF/DEL contribution during the 2015/16 financial year, for organisations in the same area. £99,328.43 of this allocation has been paid to date.



## Department of Enterprise, Trade and Investment

**Mr Allister** asked the Minister of Enterprise, Trade and Investment for a breakdown of the £4m funding, that he mentioned in the Assembly on 3 November 2015, provided by Invest NI to Michelin, specifying the purpose and date of each grant.

**(AQW 50350/11-16)**

**Mr Bell (The Minister of Enterprise, Trade and Investment):** A total of £4,754,297 was offered to Michelin Tyre Plc by way of grant as follows:

Offer Issued Date	Assistance Offered	Drawn Down	Grant Type
20-09-2007	£86,678	£86,678	Business Improvement Training Programme (BITP)
13-12-2007	£2,550,000	£2,190,967	Selective Financial Assistance (SFA) - Capital Grant
07-05-2009	£612,040	£608,741	Business Improvement Training Programme (BITP)
22-07-2009	£49,050	£49,050	Accelerated Support Fund (ASF)
12-02-2012	£654,359	£654,359	Business Improvement Training Programme (BITP)
24-06-2014	£750,000	£0	Selective Financial Assistance (SFA) - Capital Grant/Energy Project
2007/08 - 2014/15	£52,170	£52,170	Various small interventions regarding energy, skills and consultancy
<b>Total</b>	<b>£4,754,297</b>	<b>£3,641,965</b>	

**Mr Allister** asked the Minister of Enterprise, Trade and Investment whether any assistance afforded to Michelin will stand to be paid back in light of the announced closure of the Ballymena plant.

**(AQW 50351/11-16)**

**Mr Bell:** Invest NI will determine the amount of clawback relating to Michelin's offers and recover this.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to list the contacts between Invest NI and Michelin over the last twelve months, indicating the purpose and result of each meeting.

**(AQW 50352/11-16)**

**Mr Bell:** Over the past twelve months Invest NI have had a total of 26 meetings with Michelin.

The purpose of these meetings was to discuss a range of issues relating to claims advice, energy related matters, liaison re the Michelin Development Fund and relationship visits by the Client Manager.

In addition to the above numerous telephone calls took place on a wide range of ongoing issues.

Over the period in question DETI officials have also participated in a number of economic and energy related events such as Major Energy Users Council at which the interests of Michelin and other large energy users were represented.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment of the Foreign Direct Investment visits to the Mid and East Antrim Council area in 2014/15, to which he referred in the Assembly on 3 November 2015, how many took place within the North Antrim constituency.

**(AQW 50353/11-16)**

**Mr Bell:** In addressing the Assembly on 3rd November I referred to 23 FDI visits to the Mid & East Antrim Council area between 2009/10 and 2013/14, of these, eight were to North Antrim.

However, attracting FDI is only one element of our work to grow and develop the economy. Of equal importance is our work to support indigenous businesses to grow and during the same period £24m of support was offered to nearly 1,000 projects by local businesses planning to invest £120m in North Antrim. These offers included projects that are expected to create jobs, as well as projects that were aimed at other business development activities such as R&D, skills and trade development etc. Although not directly related to job creation, these activities will underpin business competitiveness and may lead eventually to growth and employment opportunities.

**Mr Cochrane-Watson** asked the Minister of Enterprise, Trade and Investment when he was first advised that Michelin would be ceasing production at their Ballymena factory.

**(AQW 50357/11-16)**

**Mr Bell:** Michelin gave no prior warning relating to their announcement concerning the impending closure of the Plant. My Departmental officials became aware at 11:00am on the morning of the announcement on Tuesday 3 November 2015.

**Mr Cochrane-Watson** asked the Minister of Enterprise, Trade and Investment what meetings departmental officials, or representatives of Invest NI, have held with the Michelin company since he became Minister in May 2015.

**(AQW 50358/11-16)**

**Mr Bell:** Since becoming Minister in May 2015 my officials and Invest NI have held a total of 17 meetings with Michelin. These meetings were to discuss a variety of matters including improving the competitiveness of the Ballymena plant, energy, grant claims against existing offers of support, liaison regarding the existing Michelin Development Fund and relationship visits by the Client Manager.

There were also a number of additional visits by energy consultants appointed by Invest NI.

**Mr Cochrane-Watson** asked the Minister of Enterprise, Trade and Investment what requests for meetings were made to Invest NI and his Department on the future of the Ballymena Michelin factory before the announcement of its closure on 3 November 2015.

**(AQW 50359/11-16)**

**Mr Bell:** My Department and Invest NI received no requests for meetings from Michelin before the announcement of its closure on 3 November 2015.

**Mr Cochrane-Watson** asked the Minister of Enterprise, Trade and Investment what representations his Department has received from Michelin about energy costs since 2011.

**(AQW 50360/11-16)**

**Mr Bell:** Between April 2013 and April 2015 my predecessor met the company twice to discuss energy costs and other issues. Four letters were also received in the period July 2013 to March 2015 from political representatives specifically referencing the company's energy costs.

Over the period in question DETI officials have participated in a number of economic and energy-related events such as the Major Energy Users Council at which the interests of Michelin and other large energy users were represented.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment when he was informed of the closure of the Michelin Factory in North Antrim.

**(AQW 50361/11-16)**

**Mr Bell:** Michelin gave no prior warning relating to their announcement concerning the impending closure of the Plant. My Departmental officials became aware at 11:00am on the morning of the announcement on Tuesday 3 November 2015.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment what involvement InvestNI will have in managing the £5million Development Fund that will be provided by Michelin following the closure of its Ballymena Factory.

**(AQW 50364/11-16)**

**Mr Bell:** I warmly welcome the announcement of the £5million Development Fund by Michelin. My officials and I will be happy to provide whatever support we can to Michelin once they decide how the fund is to be managed.

**Mr McKay** asked the Minister of Enterprise, Trade and Investment whether he has any plans to develop Gaelic games tourism.

**(AQW 50377/11-16)**

**Mr Bell:** Tourism NI currently has no plans in relation to the development of Gaelic games tourism.

However, Tourism NI has been working closely in recent years with sporting organisations such as Ulster GAA and Ulster Rugby in developing marketing initiatives to assist with targeting their respective fan bases.

Tourism NI provided support in recent years to a number of projects with a GAA focus including the Garvaghey Centre project in County Tyrone and the Scullion Hurls Économusée initiative.

Tourism Northern Ireland features event information, as supplied by event organisers and local authorities, on its consumer website [www.discovernorthernireland.com](http://www.discovernorthernireland.com) and through its digital & social media channels.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what consideration has been given to the protection of redundancy payments in cases of company insolvency.

**(AQW 50388/11-16)**

**Mr Bell:** If an employer cannot make a redundancy payment because they are insolvent, the employee can make a claim against the Northern Ireland National Insurance Fund through the Department for Employment and Learning's Redundancy

Payments Service. Payment will be limited to what the person is entitled to under relevant statute law. This will be based on his or her age and length of service and a statutory maximum of £490 per week will apply.

The person's contract of employment may have entitled him or her to an enhanced redundancy payment which is over and above what the statutory entitlement would be. If so, the difference may be claimed in the insolvency proceedings and will rank as an unsecured creditor.

I have no plans to change the status of such claims which is in line with that applying in England and Wales.

**Mr Dunne** asked the Minister of Enterprise, Trade and Investment for an update on any discussions his Department has had with 3M on the potential job losses.

**(AQW 50398/11-16)**

**Mr Bell:** Officials from Invest NI met with the local management of 3M on the 3 November 2015 to discuss the implications of the recent announcement regarding the potential loss of 34 jobs. Invest NI will continue to liaise with the local management team at 3M in Bangor throughout this process to ensure the best possible outcome.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 49480/11-16 and AQW 33580/11-16, when the twelve week consultation will commence.

**(AQW 50402/11-16)**

**Mr Bell:** The date for commencement of the twelve week consultation remains to be informed.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether the Health and Safety Executive (HSENI) carried out its assessment of planning permission Z/2012/1387/F for a waste incinerator at Airport Road, East Belfast on the basis of the Summary of Proposed Revisions document disclosed by HSENI under the Environmental Information Regulations 2004; and why these differ from what was proposed and approved under the planning permission.

**(AQW 50456/11-16)**

**Mr Bell:** HSENI carried out an assessment of planning application Z/2012/1387/F under PADHI (Planning Advice for Developments near Hazardous Installations) Guidelines, and made a recommendation of a 'Don't Advise Against' response, along with supporting comments on the 28th March 2013. The comments HSENI made in the consultation process, were later included in the summary of the proposed revisions created by Bombardier and discussed with consultees at a meeting on 10th September 2013. The papers from this meeting were disclosed by HSENI under the environmental information regulations FOI/34/2015.

HSENI is not aware, nor normally would be, of what was proposed and approved under the planning permission outside of the above.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether the Health and Safety Executive was consulted on planning permission Z/2014/1346/F for an incinerator at Airport Road, East Belfast; and whether it has provided comment to the Department of the Environment in relation to this proposal development.

**(AQW 50457/11-16)**

**Mr Bell:** HSENI was not consulted on Z/2014/1346/F. HSENI was consulted on planning application LA04/2015/0301/F which referred to variations to conditions 6 and 7 of Z/2014/1346/F.

HSENI responded that it had no comments to make in relation to the consultation on LA/2015/0301/F, as the variations did not affect any response following its previous PADHI (Planning Advice for Developments near Hazardous Installations) Guidelines assessment for application Z/2012/1387/F.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment for his assessment of the finding of the SONI report that circa 1800MW of wind power capacity has already received planning permission, whereas circa 1200MW meets the 2020 target of 40 per cent electricity from wind.

**(AQW 50458/11-16)**

**Mr Bell:** In its All Island Generation Capacity Statement 2015-2024, SONI refers to an amount of 1200MW of onshore wind within its scenarios which could deliver the 40% target but goes on to consider other renewable technologies which would also contribute to its forecast potential mix of 1625 MW by 2020.

While it will depend on the mix of renewable technologies, it is estimated that the 40% equates to around 1600MW installed capacity.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment for his assessment of the Ricardo report finding that, in cost benefit terms, production of electricity from wind becomes a net negative at 40 per cent of energy being produced from wind.

**(AQW 50460/11-16)**

**Mr Bell:** The Ricardo report was not a cost benefit analysis of wind energy but assessed all renewable technologies and their potential to contribute to the Executive's target of 40% renewable electricity consumption from renewable sources. It developed a number of potential scenarios with different renewable technologies to meet the 40% target and concluded that deployment up to and including that level will have a positive effect on the local economy, as long as that deployment is located in Northern Ireland.

**Mr Swann** asked the Minister of Enterprise, Trade and Investment whether at any time during his or InvestNI's meetings, Michelin referred to the £5.25 million offered by the Scottish Executive and accepted by Michelin Tyre plc towards investment at its tyre manufacturing facility in Dundee, which was expected to create 109 new jobs and safeguard 187 existing jobs.

**(AQW 50467/11-16)**

**Mr Bell:** During meetings with my officials Michelin made no reference to the Scottish Executive offer, or planned investment in Dundee. The Ballymena plant is a heavy truck tyre manufacturing facility and therefore would not have been in consideration for this investment which relates to car tyre manufacturing.

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment to list the 803 jobs created in Derry in 2014-15.

**(AQW 50478/11-16)**

**Mr Bell:** As jobs are created over the lifetime of a project, the number of jobs created by individual investments at any particular point in time is commercially sensitive. Release of this information could potentially provide competitors with an insight into a company's business performance.

Invest NI is therefore unable to provide the detail requested at this point in time. Such information can only be released when a project has been successfully completed and control periods have ended.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 50079/11-16, whether, within the Code Governing the Appointment of Special Advisers, a financial termination package has been paid to a Special Adviser in consequence of the ministerial resignations in his Department since September 2015.

**(AQW 50521/11-16)**

**Mr Bell:** The Department acted in line with the Code Governing the Appointment of Special Advisers.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 50147/11-16, what action is being taken by his Department to ensure that it complies with the statutory obligation to respond to Freedom of Information requests within 20 working days.

**(AQW 50524/11-16)**

**Mr Bell:** The process is kept under regular review.

**Lord Morrow** asked the Minister of Enterprise, Trade and Investment whether consideration is being given to bringing the setting of taxi-fares and metering under the remit of Trading Standards.

**(AQW 50530/11-16)**

**Mr Bell:** My officials have had no discussions with those in the Department Of Environment in relation to bringing the responsibility for setting of taxi-fares or metering within the remit of Trading Standards.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 46005/11-15, to outline the planning permission which informed the meetings, held between the Health and Safety Executive and Bombardier on 28 January 2015 and 1 May 2012, to discuss arrangements for Combined Heat Power plant construction at Airport Road, East Belfast.

**(AQW 50536/11-16)**

**Mr Bell:** The meetings held on 28 January 2015 and 1 May 2015 (there was no meeting on this subject on 1 May 2012), were informed by what HSENI understood to be planning permission Z/2012/1387/F, which HSENI had been asked to comment on as a statutory consultee.

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what measures he will deploy to mitigate energy bill increases for businesses and householders.

**(AQW 50539/11-16)**

**Mr Bell:** The majority of an electricity bill is made up of wholesale costs which, in the Single Electricity Market, are largely determined by the price of natural gas on world markets. Recent industry reports show that energy costs in Northern Ireland are at their lowest level for six years. For domestic consumers and most businesses, costs are around the EU average following retail tariff reductions in 2014 and 2015. While larger energy users negotiate their requirements outside formal tariff arrangements, they will also have seen significant reductions in their bills as a consequence of falling commodity prices, primarily gas, on world markets.

Oversight of energy market arrangements is a matter for the Utility Regulator through the process of Price Determinations for network costs, and setting of retail tariffs for incumbent energy suppliers. A 2014 report on network costs found that Northern Ireland's core network costs are broadly similar to GB and significantly lower than RoI. Including add-on charges would still leave costs below those of GB and RoI. An independent report commissioned by the Regulator in 2014 concluded that competition arrangements for large energy users were unanimously perceived to be competitive.

My Department continues to support the delivery of the North South Interconnector in the most cost-efficient manner, and further extension of the gas network into the West. It also works with the Regulator on arrangements to re-design the electricity market to meet EU market harmonisation and integration requirements.

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to outline Tourism NI's plans to promote Ballycastle. (AQW 50547/11-16)

**Mr Bell:** Tourism NI's remit is to promote Northern Ireland as a destination to the Republic of Ireland and Northern Ireland markets. Through a year round programme of promotional activity, Northern Ireland is promoted through various distribution channels to our key segments in both markets.

Ballycastle, as part of the Causeway Coastal Route, will be promoted through the spring marketing campaign activity planned for 2016 in the Republic of Ireland market. The Causeway Coastal Route is also regularly promoted via Tourism NI's programme of domestic PR activity with press releases, press trips, competitions and editorial. In addition, the Causeway Coastal Route frequently features on the itineraries of Tourism NI's international media programme and international press regularly visit the Causeway Coastal Route including Ballycastle.

On the [www.discovernorthernireland.com](http://www.discovernorthernireland.com) website, the area is promoted throughout the year in editorial and highlighted event listings. In 2015 this has included the Rathlin Sound Maritime Festival, which was one of Tourism NI's funded events for 2015/16. Other events highlighted during 2015 have included:

- Ballycastle Town July Holiday Markets;
- The Auld Lammas Fair;
- Giant's Causeway Coast Sportive; and
- Ballycastle Christmas Market.

Other promotion for Ballycastle has included elevating Traditional Music and Dance and details on the website of music sessions in Ballycastle and nearby areas.

Tourism NI has already received listings for some key 2016 Ballycastle events from the town's Visitor Information Centre and these will again be elevated in editorial produced as part of the web content plan and as highlighted events throughout the website. The Ballycastle area will also be highlighted as part of a major refresh of the Causeway Coast & Glens/Causeway Coastal Route section of the website.

Ballycastle and the surrounding area have been featured on Tourism NI's social media and digital marketing channels during the past 12 months. Looking ahead, Ballycastle and the Causeway Coastal Route will be promoted via our social and digital channels as part of our planned spring marketing campaign, and throughout our planned programmed of activity during 2016/17.

**Mr F McCann** asked the Minister of Enterprise, Trade and Investment, in light of the recent Financial Conduct Authority credit card market study interim report, to outline the departmental support that exists for people that find themselves in unmanageable credit card debt. (AQO 9074/11-16)

**Mr Bell:** The Department of Enterprise, Trade & Investment (DETI) funds the provision of a free debt advice service. The current contract, which started on 1 August 2012, was awarded to AdviceNI following a competitive tendering exercise. This contract has provided free, impartial and confidential advice to over 11,000 clients on a varying range of debt related matters. AdviceNI operates the current contract under the title 'Debt Action NI'. The face-to-face element of the service is available at 28 centres located throughout Northern Ireland and is integrated with a telephone and internet based debt advice service.

Up to 31st October 2015 the service has handled £40,124,687.74 of credit card debt; assisting 5,132 clients with credit card debt specific issues.

From 1 April 2016 the Money Advice Service (MAS) will assume responsibility for the procurement and funding of debt advice services in Northern Ireland. Following the 2016 NICS wide restructuring programme Departmental responsibility for all advice services, including debt advice, will transfer in May from DETI to the new Department for Communities.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to detail the travel allowance and other subsistence paid to the present Chair of Tourism NI since taking up their post. (AQW 50578/11-16)



**Mr Bell:** The travel allowance and other subsistence paid to the present Chair of Tourism NI since taking up their post on 1 April 2015 to date is as follows:

Travel Description	£
Car Parking	95.20
Mileage	740.70
Public Transport	2.13
Taxis	168.00
<b>Grand Total</b>	<b>1,006.03</b>

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment to outline (i) the process for appointing the Agri-Food Strategy Board; (ii) the independence of the Board collectively; and (iii) the independence of individual members of the Board to fulfil the role.

**(AQW 50588/11-16)**

**Mr Bell:**

- (i) The Chair and industry members of the AFSB were originally appointed on merit following an open competition conducted in accordance with the spirit of the The Commissioner for Public Appointments for Northern Ireland Code of Practice (CPANI). This included the presence on the assessment panel of a CPANI affiliated independent Panel Member. The criteria used to appoint members were as follows:

- A proven track record of contributing successfully at Board level to the strategic direction of a complex organisation;
- A proven ability to work at a strategic level with stakeholders from different perspectives to agree a common strategy and evaluate and monitor progress against agreed targets; and
- A good knowledge of the issues facing the local economy and a good understanding of the strategic issues facing the local agri-food industry.

In line with the CPANI guidance, a public appointee may be reappointed for a second term subject to evidence of effective performance, continued adherence to the principles of public life, and a willingness to continue in post. The AFSB Chair and members were reappointed for a further 2 year term until 19 February 2017. There are also 4 ex-officio members of the Agri Food Strategy Board, appointed as representatives of DETI, Invest NI and DARD.

- (ii) The Chair and Industry Members were appointed on the basis of their skills and experience to develop a strategic plan for the agri-food sector, rather than to ensure that specific sectors, or elements of the supply chain were represented. They act independently from the Departments.
- (iii) As part of the appointment process Members committed to uphold the seven principles of public life as defined by the Committee on Standards in Public Life, which commit to independence through selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Members also committed to disclose all actual or potential conflicts of interests to the Department of Agriculture and Rural Development or the Department of Enterprise, Trade and Investment as they arise. DETI/Invest NI and DARD's internal procedures to deal with such issues are sufficiently robust to guard against any actual or potential conflict affecting any of the industry members.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment, pursuant to 46023/11-15, (i) to outline the changes to which the answer refers; (ii) when the Health and Safety Executive (HSENI) was made aware of the changes to the proposed development; and (iii) which planning approval was granted for those changes prior to any consultation with HSENI.

**(AQW 50594/11-16)**

**Mr Bell:**

- i) There were several changes to the proposed development listed in application Z/2012/1387/F. All of the changes that HSENI are aware of were included in the summary of proposed changes document which was included in the papers disclosed by HSENI under the Environmental Information Regulations FOI/34/2015. None of the proposed changes altered any of the outcomes of the PADHI (Planning Advice for Developments near Hazardous Installations) assessment.
- ii) HSENI was made aware of the changes at the meeting in DOE on 10th September 2013 at which all of the consultees and Bombardier were present. The papers from this meeting were also disclosed by HSENI under the Environmental Information Regulations FOI/34/2015.
- iii) HSENI would not be aware of any planning approvals being granted prior to any consultation with us. While HSENI are statutory consultees to any planning proposal in relation to a development adjacent to a COMAH (Control of Major Accident Hazards) site, the specific decision to consult or not consult with HSENI lies with the relevant planning office.

HSENI were consulted on Z/2012/1387/F and LA 04/2015/0301/F which concerned the proposed changes to conditions 6 and 7 of Z/2014/1346/F.

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what actions his Department has taken to improve uptake of the cycle to work scheme.

**(AQW 50656/11-16)**

**Mr Bell:** The Cycle to Work Scheme is now an established NICS wide scheme and continues as an open ended scheme which has been available to all Civil Servants since February 2013.

**Mr Rogers** asked the Minister of Enterprise, Trade and Investment to detail any work undertaken by his Department on the development of the Narrow Water Bridge project during the past four years.

**(AQW 50662/11-16)**

**Mr Bell:** Neither my Department nor Tourism NI has undertaken any work on the development of the Narrow Water Bridge project during the past four years.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment what discussions he has had with UK Treasury regarding the rate of VAT within the tourism and hospitality industry in Northern Ireland; and to detail the outcomes of these discussions.

**(AQW 50683/11-16)**

**Mr Bell:** I have had no discussions with the UK Treasury regarding the rate of VAT within the tourism and hospitality industry in Northern Ireland. The Finance Minister takes the lead on financial issues such as this.

The Finance Minister wrote to David Gauke MP, Financial Secretary to the Treasury, on 15 June 2015 calling on the Government to once again consider how a reduced rate of VAT could be used and targeted to improve the competitiveness of the UK tourism industry. In his response dated 27 July 2015, Mr Gauke responded reaffirming Her Majesty's Treasury's position that such a change could not be applied exclusively to Northern Ireland, and that the Government had no plans to introduce a reduced rate of VAT for tourism across the UK as a whole.

**Ms Sugden** asked the Minister of Enterprise, Trade and Investment what discussions he has had with UK Treasury regarding the admissibility of a regional variation in the rate of VAT within the tourism and hospitality industries across the UK, which would benefit Northern Ireland.

**(AQW 50684/11-16)**

**Mr Bell:** I have had no discussions with the UK Treasury regarding the admissibility of a regional variation in the rate of VAT within the tourism and hospitality industries across the UK, which would benefit Northern Ireland. The Finance Minister takes the lead on financial issues such as this.

The Finance Minister wrote to David Gauke MP, Financial Secretary to the Treasury, on 15 June 2015 calling on the Government to once again consider how a reduced rate of VAT could be used and targeted to improve the competitiveness of the UK tourism industry. In his response dated 27 July 2015, Mr Gauke responded reaffirming Her Majesty's Treasury's position that such a change could not be applied exclusively to Northern Ireland, and that the Government had no plans to introduce a reduced rate of VAT for tourism across the UK as a whole.

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment on what date will the new rates for Renewable Heat Incentive come into effect; and why their implementation has been delayed.

**(AQW 50691/11-16)**

**Mr Bell:** Subject to Assembly approval the new Renewable Heat Incentive Amendment Regulations will come into operation on 18th November. There was a delay in securing the necessary legal and financial approvals.

**Mr Allister** asked the Minister of Enterprise, Trade and Investment how much actual electricity is produced in Northern Ireland from renewable energy sources, as opposed to the stated capacity of such sources.

**(AQW 50814/11-16)**

**Mr Bell:** Official statistics published by the Northern Ireland Statistics and Research Agency state, in terms of the volume of electricity consumption between April 2014 and March 2015, approximately 7,928 Gigawatt hours of total electricity was consumed in Northern Ireland. Of this, some 1,581 Gigawatt hours was generated from renewable sources within Northern Ireland. This equates to 19.9 % of total electricity.

## Department of the Environment

**Mr Agnew** asked the Minister of the Environment to (i) list the planning permissions approved in the last two years by Strategic Planning Division, where it relied on a negative Environmental Impact Assessment screening but also required a stage two Appropriate Assessment under Article 6(3) Habitats Directive; and ii) whether this is permissible.

**(AQW 49411/11-16)**

**Mr Durkan (The Minister of the Environment):** The compilation of this information has been complicated due to the transfer of records to local government which has meant that the specific information is no longer available to the Department for the full 2 year period requested.

From the available administrative information still held by the Department, the following applications meet the criteria as referred to in your question for 2013/14 and the first 3 quarters of 2014/2015 - J/2012/0270/F, K/2012/0372/F, J/2012/0368/F, K/2013/0072/F & K/2012/0468/F

As regards the second part of the question, it would not be appropriate for me to comment or to offer opinions on matters of legal interpretation.

**Mr Flanagan** asked the Minister of the Environment to detail any objections he or his Department has made in relation to the role given to CDM Smith in the Unconventional Gas Exploration and Extraction Research Programme.

**(AQW 49923/11-16)**

**Mr Durkan:** No objections have been raised by either me or my Department on this matter.

The two key questions UGEE Research has been designed to answer are:

- Can UGEE projects/operations be carried out in the island of Ireland whilst also protecting the environment and human health?
- What is 'best environmental practice' in relation to UGEE projects/operations?

I would like to state that this research is undertaken by a consortium. CDM Smith is partnered with organisations of the highest repute and integrity, including University of Ulster, University College Dublin and the British Geological Society.

Queen's University Belfast was originally a partner in the UGEE research consortium but due to resource constraints they were unable to fulfil their allocated tasks. However they remain part of the consortium's internal peer review process for the joint research programme.

I am content that the appropriate processes, procedures and systems were applied to tender evaluations and continue to be applied by the Programme's Steering Committee, which includes DOE officials, to ensure the integrity of the research outcomes are not compromised. The Consortium has put in place a robust internal peer review process and in addition all reports produced must go through a stringent technical review process made up of experts from the Programme steering committee as well as independent external experts.

On the issue of health impacts from UGEE, the research requires a review of health impact studies worldwide in order to develop a suitable protocol. This is set out in the Terms of Reference as a specific task, which states: "The potential role of Health Impact Assessment in regulation of UGEE projects/operations should be considered based on the experience in other countries, and recommendations should be made towards developing a protocol in the island of Ireland context."

Also, as a result of comments received to the public consultation exercise on the Terms Of Reference, for the Research Programme, an Official from the Health Service Executive (Ireland) was added to the Programme Steering Committee.

With regard to the recently published Strategic Planning Policy Statement (SPPS), the SPPS reaffirms my position that there should be a presumption against the exploitation of unconventional hydrocarbon extraction until the Department is satisfied that there is sufficient and robust evidence on all environmental and health impacts. I believe this is a sensible and reasonable approach.

The SPPS must be taken into account by Councils in the preparation of new Local Development Plans and is material to all decisions on individual planning applications and appeals. The provisions of the SPPS apply to the whole of Northern Ireland, including County Fermanagh. I believe the SPPS provides clarity and certainty to Councils and everyone affected by and interested in planning decisions in relation to this form of development.

**Mr Flanagan** asked the Minister of the Environment whether there is a conflict of interest with CDM Smith and their role in the Unconventional Gas Exploration and Extraction Research Programme, given their sponsorship of the Shale Gas World Europe 2013 Conference provided a platform for Tamboran Resources to promote its project on the island of Ireland.

**(AQW 49937/11-16)**

**Mr Durkan:** The two key questions UGEE Research has been designed to answer are:

- Can UGEE projects/operations be carried out in the island of Ireland whilst also protecting the environment and human health?
- What is 'best environmental practice' in relation to UGEE projects/operations?

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The SPPS must be taken into account by Councils in the preparation of new Local Development Plans and is material to all decisions on individual planning applications and appeals. The provisions of the SPPS apply to the whole of Northern Ireland, including County Fermanagh. I believe the SPPS provides clarity and certainty to Councils and everyone affected by and interested in planning decisions in relation to this form of development.

I am therefore content that there are currently no conflicts of interest at this time. This position is reviewed frequently by the Programme Steering Committee.

**Mr Agnew** asked the Minister of the Environment to detail how many times the Northern Ireland Environment Agency has sent fish suspected of being killed to external test laboratories, in the last five years.

**(AQW 50046/11-16)**

**Mr Durkan:** The Northern Ireland Environment Agency has not sent any fish to an external test laboratory in the last five years because it would be highly unlikely that short lethal exposure to chemicals will be taken up in the fish organs. NIEA uses water samples to seek to detect the cause of fish kills.

DCAL Inland Fisheries staff assist in NIEA investigations of pollution incidents where a fish kill has taken place. Where there is suspicion that fish disease may be a factor, DARD Fish Health is notified as the competent authority for aquatic animal health and a sample of fish may be taken for testing in communication with DARD. In the last five years DCAL Inland Fisheries Group has not sent any fish suspected of being killed to external test laboratories

**Lord Morrow** asked the Minister of the Environment (i) to detail what consideration has been given, or will be given, to the introduction of defibrillators in all council sports and similar facilities; and (ii) will he discuss an inter-departmental strategy with the Minister of Culture, Arts and Leisure.

**(AQW 50090/11-16)**

**Mr Durkan:** The Department for Health Social Services and Public Safety hold the policy responsibility for the delivery of its Community Resuscitation Strategy.

District councils in the North are statutory authorities in their own right and must therefore make whatever provision they deem appropriate for their district. The cost of the relevant equipment and training in its proper use will naturally be a consideration for any authority. I agree that local government in the North has a role to play in the realisation of the objectives of the DHSSPS strategy. As the then Health Minister stated, the purpose of the strategy is to save lives and therefore we should be ambitious. It would be desirable that local government should be a partner in the delivery of the objectives outlined in the DHSSPS strategy. It may therefore be appropriate that this issue be tabled by the DHSSPS Minister for discussion at a future Partnership Panel meeting with a view to co-ordinating the delivery of the strategy.

It is my understanding following advice from DHSSPS, that a register holding the location of automated external defibrillators (AEDs) is in development and it is anticipated that once established, such a register is to be maintained and updated by the NI Ambulance Service. Facilitating public access to AEDs through knowledge and communication of their location is something that councils could certainly contribute to.

In addition to any discussion on the matter that might happen at the Partnership Panel and given the importance and cross cutting nature of the matter I would certainly welcome a discussion on an inter-departmental strategy. However I believe it would be most appropriate for my colleague the Minister of Health to initiate such a discussion in the first instance.

**Mr Agnew** asked the Minister of the Environment whether it is normal procedure for a departmental proposal to be subjected to both an Appropriate Assessment and a negative Environmental Impact Assessment screening.  
(AQW 50123/11-16)

**Mr Durkan:** The processing of each individual planning application will reflect the particular characteristics of the development proposed within its context.

**Ms McCorley** asked the Minister of the Environment for a breakdown of any investment, including capital, his Department has made in West Belfast since May 2011.

(AQW 50136/11-16)

**Mr Durkan:** The attached table details the investment, including capital, made by my Department in West Belfast since May 2011.

Funding Programme	2011-12 £	2012-13 £	2013-14 £	2014-15 £	2015-16 £
Natural Heritage Grant programme	40,000	78,884	148,394	112,773	23,406
Colin Glen Forest Park Funding	200,000	175,000	175,000	175,000	100,000
Challenge Fund	17,723	17,000	44,156	16,190	7,215
Road Safety Grants	9,664	21,780	-	15,000	7,485
Dereliction Funding	-	103,240	54,111	-	-
Listed Building Grants	50,000	62,950	-	5,410	-
<b>Total Investment</b>	<b>317,387</b>	<b>458,854</b>	<b>421,661</b>	<b>324,373</b>	<b>138,106</b>

**Mr McKay** asked the Minister of the Environment whether he will ensure that core funding for groups such as the Causeway Coast and Glens Heritage Trust is in place for the next financial year.

(AQW 50199/11-16)

**Mr Durkan:** Conscious of the difficult operating environment and the fact that current funding arrangements finish on 31 March 2016 I had indicated that I would urgently consider the development of appropriate funding mechanisms to enable third parties to deliver key environmental outcomes from April 2016. I have listened to the views of stakeholder and I have therefore announced a new 'Environment Fund'. This is a broader fund than the previous Natural Environment Fund and will cover delivery of a wider range of key environmental outcomes under two broad themes: Ensuring good habitat quality, landscape and species abundance and diversity and Promotion of health, well-being, resource efficiency and sustainable economic development, realising the full value of our environment.

Calls for the new fund opened on the 12 November and will close on 10 December.

This will be a competitive process with value for money and delivery of critical environmental priorities being key criteria. It would not therefore be appropriate for me to comment at this stage on the prospects of any specific organisations being successful.

**Ms McGahan** asked the Minister of the Environment whether he has given any consideration to rolling out a grants scheme to householders wishing to replace their septic tanks with the aim of promoting greater environmental protection.

(AQW 50252/11-16)

**Mr Durkan:** The Department does not have a scheme in place for providing grants for the replacement of septic tanks and has not considered the development of such a scheme.

To date research has indicated that only 10 – 15% of the Nitrogen Loading within Northern Ireland water bodies can be apportioned to septic tanks. NIEA will therefore continue to tackle the issues relating to septic tanks through the current regulatory regime under the Water Order 1999 and the delivery of targeted catchment improvement projects.

The Department recognises the concerns over the potential financial impact on individuals who may need to upgrade or replace their septic tanks. NIEA will continue to take a pragmatic and sensitive approach to resolving issues with householders.

**Mr Dickson** asked the Minister of the Environment for his assessment of the legality of councils paying a Councillor's allowances directly to a third party.

(AQW 50313/11-16)

**Mr Durkan:** The legislation clearly states that councillor allowances are payable by councils directly to councillors. This is contained in Part 3 of the Local Government Finance Act (NI) 2011 and in the Local Government (Payments to Councillors) Regulations (NI) 2012.



In light of the recent court proceedings, my officials wrote to all district council chief executives to remind them of their duty under this legislation. However the legislation is silent on which bank accounts councillors' allowances must be paid into and councils do not have an investigative power to allow enquiries; such as that available to the Assembly. This is a subject that I will discuss with council Chief Executives to ascertain if such a legislative power is necessary and would be of benefit.

**Mr Agnew** asked the Minister of the Environment whether (i) the Republic of Ireland's Environmental Protection Agency and CDM Smith are the sole parties on the contract that engages CDM Smith to carry out the Unconventional Gas Exploration and Extraction Research Programme; and (ii) the Northern Ireland Environment Agency or any other party has a veto.

**(AQW 50319/11-16)**

**Mr Durkan:** The contract agreement is between CDM Smith Ireland Ltd and the EPA.

It is important to note that whilst the EPA is the named party on the contract and signatory to the contract, that this was done on behalf of the other funders, namely NIEA and the Department of Communications, Energy and Natural Resources.

All decisions are made by the research programme Steering Committee with no one party having the authority to veto a decision.

**Lord Morrow** asked the Minister of the Environment, in relation to training completed by all taxi drivers before the renewal of their required licence, to detail (i) who will conduct this training; (ii) where the training will take place; (iii) whether this is an initiative hosted by his Department or outsourced; (iv) if the training is to be outsourced, when the tender will be advertised; (v) the estimated cost of the courses; (vi) what grant funding is available for drivers to cover or contribute to the cost of the course; and (vii) whether drivers will be compensated for loss of earnings due to attending the training course.

**(AQW 50339/11-16)**

**Mr Durkan:** From 1 September 2016 all taxi drivers renewing their Taxi Driver's Licence are required to complete periodic training from an approved training centre.

- (i) The training will be conducted by approved training providers who will be authorised by the Joint Approvals Unit for Periodic Training (JAUPT) on behalf of the Department. This is the same process used for the Driver Certificate of Professional Competence (DCPC) required by Lorry and Bus drivers. Currently there are 47 approved training providers in Northern Ireland authorised to deliver taxi, lorry and bus periodic training.
- (ii) The training will take place at various approved centres which will be organised by the respective approved training providers.
- (iii) The training will be hosted by the approved training providers referred to above.
- (iv) A tender process is not being entered into as the Department is not purchasing goods or services. JAUPT's approved trainer application process is open to all.
- (v) The cost to drivers, based on similar DCPC courses delivered by approved provider, is estimated to be in the region of £50 per seven hour module. The Department is also, in association with IMTAC (The Inclusive Mobility and Transport Advisory Committee), finalising two 3½ hour Disability Awareness modules that will be made available to approved training providers free of charge. This may reduce costs for providers and these reductions could be passed on to course participants.
- (vi) & (vii) The Department does not intend to make grant funding available to drivers or to compensate for a loss of earnings. The average taxi driver can recover all of the additional costs of the Taxi Reform programme (including the periodic training, purchase of taximeters, printers and roof signs) over a three year period by a fare rise of one penny per mile.

The regulations also permit the training to take place in 3½ hour modules, to make it easier for taxi drivers to fit in around their driving schedules.

**Mr Lyons** asked the Minister of the Environment for an update on his consultation on increasing the weight and speed limits for agricultural tractors and trailers.

**(AQW 50348/11-16)**

**Mr Durkan:** The consultation to increase the speed and weight limits for agricultural tractors and trailers ran from 26 May to 7 July 2015, and received five written responses, from the Road Haulage Association (NI), Ulster Farmers Union, Agricultural Engineering Association, the Freight Transport Association and the RAC. All the responses received supported the proposal.

The proposed new amendments to legislation to increase the weight and speed limits for agricultural tractors and trailers have been drafted, and as these are technical amendments, are required to be sent to the European Commission for a period of three months to allow other member states to comment. Providing that there are no comments from the Commission, the Department would hope to make the legislative amendments early in the New Year.

**Mr Lyttle** asked the Minister of the Environment to detail (i) what action he has taken following the Marine Litter Survey 2014, which found the worst litter levels on our coastlines since 2012; and (ii) whether he will introduce a Northern Ireland wide litter strategy.

**(AQW 50365/11-16)**

**Mr Durkan:** I welcome the publication of the Marine Litter Survey 2014 which reports on levels of litter along our coastline observed during 2014, and the interest it has generated. The report finds that litter levels increased in 2014 on a number of beaches.

The reported increase in litter levels in 2014 should be considered in the context of the severe storms of 2014 which lashed our coastline. These deposited large amounts of litter onto our coast which may have been dislodged from the Irish Sea gyre.

The actions I am taking are in line with the Northern Ireland Marine Litter Strategy which my Department published in 2013 to address the problem of litter across our beaches. The Strategy, the first of its kind in the UK or Ireland, is a coordinated response to the problem of marine litter. It aims to reduce the amount of litter entering the marine environment and to remove some of the litter that is already present in our seas. It is being delivered by a coalition of public and private sector organisations.

The programmes being delivered under the Strategy include: the Wrigley's Litter Less Campaign; Blue Flag Awards for beaches and marinas; the Line Out campaign which focuses on reducing angling litter; the Bag it and Bin It campaign aimed at reducing levels of sewage related debris; upgrades to coastal sewage infrastructure, and the Great Northern Irish Beach Clean, which I participated in at Culmore Point in September.

The Strategy has been instrumental in delivering schemes such as 'Fishing for Litter', which engages the fishing sector to remove litter caught during fishing activities and promotes a change of culture within the industry. The Fishing for Litter scheme is in operation across the three main fishing harbours at Ardglass, Kilkeel and Portavogie and since its inception in 2014, almost 24 tonnes of litter have been removed from the sea by fishermen.

The Department also introduced the five pence Carrier Bag Levy in 2013. This signature piece of legislation has been a resounding success not only in reducing carrier bag numbers by tens of millions but also by generating additional funding for environmental projects. The publicity generated by the levy has brought home to a wide audience the notion that a disposable, throwaway society is not sustainable.

I am committed to tackling this problem at both a Strategic and Programme level and while we have already made progress, the Marine Litter Survey 2014 shows that there is still much to be done. I will continue to ensure the Strategy is implemented.

**Mr Agnew** asked the Minister of the Environment, given the findings of the independent Davies Report that found planners were neither open, fair, nor transparent in their dealings with the public when processing planning application A/2005/1166/F, whether he will ensure that objectors are treated fairly in the future.

**(AQW 50387/11-16)**

**Mr Durkan:** I commissioned the independent Davies Report into the handling of two planning applications at Prehen Woods, Derry by the Department. I have accepted the findings of the report which concluded that application A/2005/1166/F was not handled in a manner that was open, fair and transparent. This was primarily in relation to some inadequacies in the case officer's report which did not properly evaluate all objections and did not explain fully the reasons to support the recommendation to approve the application.

Notwithstanding these findings the report concluded that although there were some errors in the processing of the application, its planning judgement was not exercised inappropriately and its decision to approve was not unreasonable.

I am mindful that these inadequacies in processing occurred around 2007, some eight years ago. In the intervening period the Department has provided advice to staff on the need for comprehensive case officer reports that properly evaluate objections and give clear reasons when making a recommending on a planning application. I am satisfied that the Department has addressed many of the inadequacies in processing that were highlighted in the Davies Report.

**Mr Agnew** asked the Minister of the Environment, in light of the independent Davies Report that planners were neither open, fair nor transparent in their dealings with the public when processing planning application A/2005/1166/F, whether objectors received full and clear answers to their questions and concerns raised in relation to planning approval K/2013/0072/F and subsequent associated permissions.

**(AQW 50389/11-16)**

**Mr Durkan:** Planning permission K/2013/0072/F and subsequent permissions at this site have undergone due process and in the absence of any successful challenge, are valid, extant permissions. Throughout the processing of these applications the opinions of third parties received careful consideration prior to the issuing of any decisions.

**Mr Agnew** asked the Minister of the Environment, following the findings of the Champion-v-North Norfolk District Council Court of Appeal and Supreme Court rulings, whether (i) planning application K/2011/0072/F did not require an Environmental Impact Assessment; and if not (ii) to detail the justification for this given the requirements of the Environmental Impact Assessment, Habitats Directives and European Commission guidance on developments impacting on a Natura 2000 site.

**(AQW 50390/11-16)**

**Mr Durkan:** This question raises legal issues and refers to an English Case which was eventually before the Supreme Court. It would, therefore, not be appropriate for me to comment or to offer opinions on matters of the legal interpretation.

**Lord Morrow** asked the Minister of the Environment (i) whether the Uber or Hailo taxi companies have applied for a taxi licence; and if so, (ii) at what stage are the applications.

**(AQW 50405/11-16)**

**Mr Durkan:** To date my Department has not received a completed application for a Taxi Operator Licence from either UBER or HALLO. Should either company submit an application for a Taxi Operator Licence, this will be considered in line with statutory requirements and procedures.

**Lord Morrow** asked the Minister of the Environment, in relation to the proposed introduction of printers in taxi meters for receipting purposes, to detail the estimated time frame for the introduction of printers, given many receipts are now available by electronic means; and if this is going to be a temporary measure for receipting until more advanced and environmentally friendly options become more widely available, whether his Department will supplement the financial outlay taxi drivers will be required to expend to become compliant.

**(AQW 50407/11-16)**

**Mr Durkan:** The Department is intending to make the regulations that will require taximeters and printers in the coming weeks, with the new requirements coming into force from 31 May 2016.

The introduction of printers is not intended to be a temporary measure; it was a key part of the Act. The purpose of the printer is not only to produce a receipt detailing the price and distance of the journey, but also to identify from where the journey started and finished. The receipt will also include the vehicle's registration mark that will enable to consumer to follow up on any issues that arise.

In terms of the environmental impact you refer to, I have taken the decision to implement an 'offer and print' policy, where no receipt is required if the customer has been offered one and clearly declined. This is an alternative to the 'print and offer' approach that could lead to a large number of unwanted receipts being printed.

My Department does not intend to provide funding to drivers relating to the implementation of the Taxis Act.

**Mr McMullan** asked the Minister of the Environment, given the lack of social housing in rural areas, whether he has any plans for zone sites in emergency housing areas to help young people stay and live in the rural area of their choice.

**(AQW 50432/11-16)**

**Mr Durkan:** Members will be aware that I transferred the majority of planning powers from my Department to councils on 1 April and that the responsibility for the preparation of Local Development Plans (LDPs) and zoning sites for housing now rests with councils. To inform councils in this work, I published the Strategic Planning Policy Statement for Northern Ireland (SPPS) on 28 September this year.

The SPPS enables councils to shape how their areas will grow and develop in ways that are more responsive to the needs and aspirations of the communities they serve through their LDP. Councils can develop bespoke local policies tailored to reflect the specific economic, social and environmental issues they face, which includes the provision of social housing in appropriate locations.

Whilst the majority of land considered suitable for housing developments will be allocated by councils through the development plan process within settlements, planning policy also provides for social and affordable housing schemes.

The SPPS also allows for Planning permission to be granted for a small group of dwellings adjacent to or near a small settlement to provide social and affordable housing where a demonstrable need has been identified.

**Lord Morrow** asked the Minister of the Environment to detail how a two-stage taxi booking is deemed compliant.

**(AQW 50451/11-16)**

**Mr Durkan:** Certain elements of the provisions in the Taxis Act 2008 and the Taxi Operator Licensing Regulations (Northern Ireland) 2012 refer to the making of a booking, whilst others refer to instances where a booking is accepted. This phrasing of the legislation implies that there are two components to a taxi booking, and that both of these must occur before a taxi booking is deemed to be completed.

**Mr Allen** asked the Minister of the Environment to detail any discussions he has had with the First and deputy First Minister in relation to delays within the Planning Appeals Commission, particularly with regards to Belfast City Airport.

**(AQW 50470/11-16)**

**Mr Durkan:** I have not had any discussions with the First Minister or deputy First Minister in relation to delays within the Planning Appeals Commission. My Department has recently received the PAC report in respect of the public inquiry into the proposed modification of the planning agreement with George Best City Airport and is currently reviewing the report and its recommendations.

**Mr Agnew** asked the Minister of the Environment, following the ruling of the Court of Appeal and Supreme Court on *Champion-v-North Norfolk District Council*, whether an Environmental Impact Assessment was required for planning approval K/2013/0072/F.

**(AQW 50517/11-16)**

**Mr Durkan:** I am aware of this case however it would not be appropriate for me to comment or to offer opinions on matters of legal interpretation.

**Lord Morrow** asked the Minister of the Environment, in relation to the training completed by all taxi drivers before renewal of their required licence, to detail the content of the training in both the seven hour and twentyone hour recommended courses.

**(AQW 50532/11-16)**

**Mr Durkan:** The taxi periodic training scheme is similar to the Drivers Certificate of Professional Competence (DCPC) for lorry and bus drivers but is linked to the taxi driving licence renewal. Drivers will not be able to renew their taxi licence until they have completed the portion of periodic training required as set out in the table below.

Date Taxi Driver Licence Expires	Number of Hours Training Required
1st September 2015 – 31st August 2016	Nil
1st September 2016 – 31st August 2017	7 Hours
1st September 2017 – 31st August 2018	14 Hours
1st September 2018 – 31st August 2019	21 Hours
1st September 2019 – 31st August 2020	28 Hours
1st September 2020 onwards	35 Hours

The courses can be a minimum of 3.5 hours in duration or multiples of 3.5 hours; this was introduced to allow taxi drivers to fit the training in around their driving schedules.

The taxi syllabus was designed to tie in as close as possible to the DCPC syllabus to ensure drivers with lorry or bus licences, who have taking training in similar subject areas, can be given credit toward there taxi periodic training.

The taxi subject areas are as follows:

- Disability Awareness
- Loading/Unloading
- Legislation (including the Working Time Directive)
- Safe and Fuel Efficient Driving
- Customer Service
- Health, Safety and Emergencies
- First Aid
- Vehicle Systems (Transmission System)
- Vehicle Systems (Safety Controls)
- Regulations for Carriage of Passengers
- Prevention of Criminality and Trafficking
- Personal Health and Wellbeing
- Physical/Mental Health and Wellbeing
- Professional Driver and Company Issues
- Economic Environment for Carriage of Passengers.

The Department feels the taxi drivers and operators themselves are best placed to identify their own individual training requirements; therefore, they will have the flexibility to choose within which of the areas they wish to complete training. The only mandatory module is a disability awareness course of a minimum of 3.5 hours. The Department is, in association with IMTAC (The Inclusive Mobility and Transport Advisory Committee), finalising two 3½ hour Disability Awareness modules that will be made available to approved training providers free of charge.

**Mr McKay** asked the Minister of the Environment what actions his Department has taken to improve uptake of the cycle to work scheme.

**(AQW 50657/11-16)**

**Mr Durkan:** The Cycle to Work Scheme is now an established NICS wide scheme with designated contacts in each department, including DOE. It was re- launched in February 2014 and continues as an open ended scheme available to all civil servants.

The scheme is well established and is open to all staff all year round. It is advertised regularly in the Departmental team brief.

**Ms Hanna** asked the Minister of the Environment, in light of recent fatalities, including in South Belfast, to detail what initiatives he has introduced to improve road safety.

**(AQW 50678/11-16)**

**Mr Durkan:** The number of road deaths in 2015 is a serious concern and I extend my sympathy to those who have lost loved ones and also those who have suffered life changing injuries. So far this year, 62 people have died compared to 73 for the same time last year.

At the beginning of the year, severe cuts were made by the Executive to my Department's budget allocation. Despite the very challenging financial position, I was able to allocate just over £1 million to road safety communications, grants and educational materials. In recent weeks, I have been able to supplement this with a further £184,000 through internal re-allocations.

My Department strives to ensure activities are effective in influencing attitudes and behaviours. While not specific to particular geographic areas, they target the most at-risk cohorts of the entire population and the biggest killer behaviours on our roads.

We focus on problem areas, such as drink driving, speeding, carelessness and inattention; and on groups which are over-represented in the casualty figures. These are a key focus of the Road Traffic (Amendment) Bill which completed its Consideration Stage in June 2015. The Bill includes a package of measures to tackle drink driving, to reform the learner and restricted driver schemes and to introduce a system of Graduated Driver Licensing (GDL).

I plan to bring the Bill back to the Assembly as soon as possible to conclude its legislative passage. This is an important Bill that seeks to address key causes of death and serious injury on our roads and I hope that we can work together to ensure early completion of its legislative passage.

In March I launched a new motorcyclist safety campaign and in June, I launched the 2015/16 Road Safety Grant Scheme through which I have approved funding for 15 projects across the North.

Also in June, I launched a road safety Community Toolkit to give local voluntary groups all the resources they need to organise events, bringing road safety messages into the heart of local communities. In the same month, I rolled out the Safe Driving Teaching Aid, enabling driving instructors to address road safety with the learner driver.

I have recently commissioned two social media campaigns – the first to reinforce that the only safe level of alcohol when driving is no alcohol; the second will specifically address the various issues in relation to mobile phone use while driving.

My Department also continues to provide a range of resources and schemes to be used by teachers to allow them to improve road safety behaviours in children and young people.

I can assure you that I remain fully committed to continue working with my Executive colleagues, the PSNI and other stakeholders to improve road safety and to reduce casualties.

**Ms McGahan** asked the Minister of the Environment to outline the quantity of both retained and exported recycled waste. (AQO 9062/11-16)

**Mr Durkan:** The total quantity of retained recycled waste in the North is unknown; however, from data received by my Department from those waste management facilities accepting waste for final recycling, an estimate can be made of the waste reprocessed annually. The last available figures show that in 2012 at least 417,000 tonnes of waste were recycled here.

Similarly, my Department holds details on the amounts of waste exported from here to countries outside the United Kingdom destined for recycling operations and in 2012 just over 598,000 tonnes was exported.

**Mr D Bradley** asked the Minister of the Environment whether he will provide additional funding to meet the needs of councils facing financial difficulties. (AQO 9066/11-16)

**Mr Durkan:** You will be aware that my Department suffered from a very significant cut to its opening 2015-16 Budget. This gave rise to a number of areas of financial pressure across my department, including the Rates Support Grant, the De-Rating grant and other grants to Councils.

As a consequence of the budgetary constraints my Department faced, I had to reduce the level of grant funding allocated to councils. In doing so, I was always committed to trying to find ways to address the difficulties faced by councils as a consequence of reduced funding.

Since then, through good financial management and the approval of the Voluntary Exit Scheme, in-year savings have now become available in my Department.

I have recently announced that £2.6 million of additional grant funding will be made available to councils this year.

This extra funding of £2.6m, which is being made to councils for Rates Support - £2.1m and £0.5 million for Emergency Planning (£0.5m), will to some extent ease the financial difficulties they have been facing over the past few months.

This allocation now provides additional in-year money to less well off councils through the Rates Support Grant.

The Emergency Planning allocation will support councils in preparing emergency plans and responding to local emergencies in each of their council areas. This £0.5m of funding will help councils to plan ahead to ensure they are fully prepared for the winter months ahead.

Over the coming months, I will continue to monitor my Department's financial position. If further funding becomes available I will consider very carefully how best to utilise this bearing in mind the extremely difficult public expenditure position overall.



**Ms Sugden** asked the Minister of the Environment in light of Section 29 of the Planning Act (Northern Ireland) 2011, to detail why he called in and subsequently approved planning application C/2011/0459/F by Cam Burn Wind Farm Ltd.  
(AQW 50711/11-16)

**Mr Durkan:** I refer to your previous correspondence AQW 50303/11-16 and would reiterate my previous comments.

I was contacted by the applicant who outlined the recent history of the case since it had transferred to Causeway Coast and Glens Borough Council for processing prior to 1 April 2015. My reasons for calling in the planning application were due to the planning history of this application and the particular difficulties arising from the current DETI proposals concerning the qualifying date of 30 October 2015 for the NI Renewables Obligation Scheme. I also noted the potential economic and environmental contribution from this project.

In reaching my decision I took account of the report and recommendation of my officials. I was also aware of the strong level of public representation in both objection to, and support of, the application. The key issues I considered in the determination of the application were the potential visual impact on the wider landscape of the area and the potential impact on nearby residents. Overall I considered that these impacts would not be unacceptably adverse and that the proposal met the requirements of planning policy. A Notice of Opinion to approve the application issued on 30 October 2015.

The Council has the opportunity to request a hearing within 28 days from the date of the notice. If so requested, the Department will afford it an opportunity of appearing before, and being heard by the Planning Appeals Commission. If no such request is made, the planning permission will issue. If a request is made then a planning permission would not issue until a report is received from the PAC. The final decision would still rest with the Department.

**Ms Lo** asked the Minister of the Environment for an update on the restructuring of Departments in relation to his departmental functions.  
(AQO 9060/11-16)

**Mr Durkan:** The Stormont House Agreement of 23 December 2014 included a commitment to reduce the number of Departments from twelve to nine in time for the May 2016 Assembly elections.

As part of this restructuring programme the future Department of Agriculture, Environment and Rural Affairs will take on DOE's environmental and marine group; the future Department for Communities will take on the DOE's responsibilities for local government and built heritage; and the future Department for Infrastructure will take over the responsibilities for planning, road safety and driver and vehicle agency functions.

Within the restructuring programme, projects are progressing to ensure the establishment of the future departments, including determining the management structure and operating model of the future Departments; staffing; accommodation; records transfers; continuity of policies; and budgets.

I am committed to ensuring that not only the current functions and policies of DOE are protected, but that they go into the future departments on a strong, confident footing with no disruption to public facing services.

**Mr Beggs** asked the Minister of the Environment for his assessment of the long term cost of options for the recycling of materials by either public or private initiatives.  
(AQO 9061/11-16)

**Mr Durkan:** The longer term economic and environmental benefits of resource efficiency are becoming increasingly clear. This is recognised at a European level where resource efficiency is seen as a priority, closely linked to the promotion of the circular economy, to offset the future challenges and pressures on finite resources and energy usage, and help ensure our longer term resource security and global competitiveness.

If we are to make the transition towards a more sustainable economy all parts of our society will need to become more resource efficient. Recycling will play an ever increasing role as part of a sustainable economy, which should see the value of recyclates increase.

In the short term, the current volatility of energy prices is one of the key factors which has created turbulence in commodity markets and caused the price of some recyclates to fall, particularly plastics. Although this may temporarily increase the cost of delivering recycling services, the differential between landfilling and recycling costs still provides an economic benefit to recycle.

Going forward, it will be essential to maximise the value of recyclates and reduce the cost of recycling systems through increased capture rates, higher recycle quality and reduced contamination rates. The public and private sectors need to assess existing and new recycling initiatives against these outputs. They need to view recycling as an opportunity to realise economic benefits through valorisation of materials rather than being treated simply as a waste management process. Introduction of effective and efficient recycling initiatives will increasingly provide a return on this investment.

**Mr Easton** asked the Minister of the Environment for an update on any departmental plans to develop or enhance conservation schemes for endangered species.  
(AQO 9063/11-16)

**Mr Durkan:** Endangered species in Northern Ireland are included in the published list of 481 priority species, which my Department plans to revise by 2017.

Current conservation schemes involving my Department include the designation and management of nature conservation sites; increasingly close working with DARD on the development of agri-environment schemes; and the launch of an INTERREG V programme to promote cross-border co-operation to facilitate the recovery of selected protected habitats and priority species (including endangered species such as freshwater-pearl mussel, corncrake and breeding waders).

My Department is also continuing to provide advice and financial support for a wide variety of conservation schemes in partnership with others, particularly NGOs including HLF projects such as the recently announced Saving the Red Squirrel project.

**Ms McCorley** asked the Minister of the Environment, given the transition to the new councils, to outline any future role for the Local Government Staff Commission for Northern Ireland.

**(AQO 9064/11-16)**

**Mr Durkan:** In July 2012, my Department initiated a review of the Local Government Staff Commission. Following consultation, I concluded that, although the Commission had performed well in a necessary and challenging role for 40 years, other developments meant that a statutory body of that type was no longer required. As a consequence, in 2014, my Executive colleagues agreed that the Commission should be wound up on 31 March 2017.

One of the central objectives of the reform process is to strengthen local government and to allow local authorities to assume more powers, taking responsibility for the well-being and development of their district. Therefore, it seems counterintuitive not to expect the new councils to take full responsibility for the recruitment and management of their own workforces.

I consider, therefore, that the Staff Commission is still required for a period to help reform to bed in. There is precedent in other jurisdictions for using such a body to assist and advise councils during a period of reorganisation. That is why my Department is working to ensure the orderly closure of the Staff Commission on 31 March 2017, two years after the councils were established.

**Ms Maeve McLaughlin** asked the Minister of the Environment whether his Department will launch a public consultation in December 2015 regarding the proposed Marine Conservation Zones.

**(AQO 9065/11-16)**

**Mr Durkan:** Powers to designate Marine Conservation Zones became available in Northern Ireland under the Marine Act (Northern Ireland) 2013.

Since then my Department has been developing potential sites based on sound scientific evidence and with the involvement of stakeholders for all marine sectors including fishing, angling, renewable energy, ports & harbours and environmental groups.

It is my intention to launch a public consultation on proposals for Marine Conservation Zones in December 2015.

**Mr F McCann** asked the Minister of the Environment when he will make a decision on the planning application by Whitemountain Quarries for a hazardous waste transfer site, including asbestos and other toxic materials, at the Blackmountain quarry.

**(AQO 9067/11-16)**

**Mr Durkan:** The planning application to which the member refers transferred to Belfast City Council on 1 April 2015 as part of the wider transfer of functions to local councils.

As such, it will be for Belfast City Council to determine when it expects to make a decision on this application. I would advise the member to contact the Chief Executive of Belfast City Council, Ms Suzanne Wylie, in order to establish the most up to date position. She can be contacted at [planning@belfastcity.gov.uk](mailto:planning@belfastcity.gov.uk) or at Belfast City Council, City Hall, Belfast, BT1 5GS.

**Mr Moutray** asked the Minister of the Environment, given the recent announcement of a further £2.1 million allocation in rates support, to outline the financial benefits to each council.

**(AQO 9068/11-16)**

**Mr Durkan:** The purpose of the Rates Support Grant is to provide extra financial resources for those councils whose needs exceed their wealth base generated through rates. The basic principle is that the grant is intended to support the less wealthy councils.

Due to a significant reduction in my Department's opening 2015-16 Budget, I was forced to reduce the Rates Support Grant paid to Councils in 2015-16 from £18.3m to £15.5m, representing a reduction amounting to £2.8m.

When this reduction was made I promised that I would try to find ways of addressing the difficulties it posed for Councils.

Since then, through good financial management and the approval of the Voluntary Exit Scheme, in-year savings have now become available in my Department.

I was pleased to announce recently that my Department is now able to re-instate part of the Rates Support Grant, with an additional £2.1 million being made available for the less well off Councils.

The additional £2.1 million will be allocated to the 7 councils that receive this grant in 2015-16 using the current allocation method.

In terms of the specific financial benefits to each Council -

- Armagh, Banbridge and Craigavon will receive £459,219
- Causeway Coast and Glens will receive £291,753
- Derry and Strabane will receive £417,478
- Fermanagh and Omagh will receive £186,373
- Mid and East Antrim will receive £129,236
- Mid Ulster will receive £325,371
- Newry, Mourne and Down will receive £290,570

Councils, as autonomous bodies responsible for their own expenditure decisions, will be able to prioritise the use of these additional funds to those areas of most need.

While I am certain that these Councils will welcome the additional funding and that it will to some extent ease the financial difficulties they have been facing over the last number of months, I recognise that it does not represent a full reinstatement of the Rates Support Grant.

Over the coming months, I will continue to monitor my Department's financial position. If further funding becomes available I will consider very carefully how best to utilise this bearing in mind the extremely difficult public expenditure position overall.

**Mr McKay** asked the Minister of the Environment to detail he has spent on maintaining thatched roofs on listed buildings in each of the last three years.

**(AQW 50795/11-16)**

**Mr Durkan:** A total of £475,829.00 has been spent through the listed building grant-aid scheme to support the repair and maintenance of thatched roofs on listed buildings, broken down as follows:

- 2014/15 - £158,513
- 2013/14 - £150,148
- 2012/13 - £167,168

## Department of Finance and Personnel

**Mr Flanagan** asked the Minister of Finance and Personnel what mechanisms are available to owners of domestic properties who have been unfairly awarded a completion notice but are outside the timeframe for appealing it.

**(AQW 50329/11-16)**

**Mrs Foster (The Minister of Finance and Personnel):** The Rates (NI) Order 1977 legislates that when a new domestic property reaches a point of construction where it could reasonably be expected to be completed within a period not greater than three months, a Completion Notice will be issued. The Notice will specify a Completion Day at which point in time the property will then be valued and added to the Valuation List.

Any owner who disagrees with the Completion Notice may submit an appeal within 28 days as detailed on the Notice. If an appeal is not made within the statutory timeframe, there are no further statutory mechanisms available to contest the Completion Notice.

**Mr McKay** asked the Minister of Finance and Personnel whether her proposed Bill on rates relief, and its subsequent regulations, will provide further rates relief for sports clubs that are licensed to sell alcohol.

**(AQW 50459/11-16)**

**Mrs Foster:** I intend to bring forward a Bill containing an enabling power that would permit enhanced rate relief for sports clubs subject to conditions.

My current intention would be to use that power to permit enhanced relief of 100% for those Community Amateur Sports Clubs that do not have a permanent liquor licence. This would then align with the rating treatment of community halls under legislation.

The final shape of the policy to be implemented will however be guided by the outcome of the targeted consultation that my Department will begin to undertake.

That process of engagement can begin shortly, providing I secure the necessary agreement at Executive level to take forward the Bill, and obtain the support of the Finance Committee to do so through accelerated passage.

**Mr McKay** asked the Minister of Finance and Personnel when she intends to bring forward a Bill to provide rates relief for sports clubs.

**(AQW 50463/11-16)**

**Mrs Foster:** The Bill has now been drafted and it is my intention to secure Royal Assent for it this mandate, providing I can secure both an agreement at Executive level to take this matter forward and the support of the Finance Committee to progress the Bill through Accelerated Passage.

I will be in a position to provide more detail when I appear before the Finance Committee.

**Mr McKay** asked the Minister of Finance and Personnel to detail all meetings her Department has had regarding rates for amateur sports clubs and where the issue was discussed, in the last 18 months.

**(AQW 50465/11-16)**

**Mrs Foster:** During the last 18 months there have been no meetings specifically convened for the purpose of discussing enhanced rate relief for amateur sports clubs, except for the pre-meeting briefing that took place with my lead official immediately before I met you on the 12 October this year, and another pre-brief that occurred before you met Simon Hamilton on 12 May 2014.

The matter was, however, mentioned as part of a regular policy update at a series of meetings attended by officials, including the LPS/RPD Policy Advisory Group Meeting on the 6 May 2015 at Lanyon Plaza, Belfast a UK policy quadrilateral meeting on the 25 June 2015 at County Hall, Coleraine and the Penny Product Working Group meeting on 24 September 2015 at Lanyon Plaza, Belfast. No substantive issues were discussed on this subject at any of those meetings.

A meeting was held in Longbridge House with officials from HMRC and Sports NI on 3 June 2015 to discuss the issue of rate relief and professional players. While the issue of amateur sports clubs came up in discussions the meeting was requested by HMRC to discuss and explain current rating policy.

An informal meeting was also held with Colin Neill of Hospitality Ulster, at his request on the 29 October 2015 in the Radisson Blu Hotel, to discuss the ongoing Review of Business Rates. The matter was discussed briefly on the margins of that meeting.

**Mr Ramsey** asked the Minister of Finance and Personnel when she expects the report into the sale of the National Asset Management Agency NI property portfolio to be completed.

**(AQW 50491/11-16)**

**Mrs Foster:** This is a matter for the Committee for Finance and Personnel which is conducting the inquiry into the 'Review of the sale of the National Asset Management Agency property loan portfolio in Northern Ireland'.

**Ms Sugden** asked the Minister of Finance and Personnel how her Department is supporting small and medium sized businesses to cut their business costs.

**(AQW 50542/11-16)**

**Mrs Foster:** My Department provides direct support to small and medium sized businesses by reducing their rates burden through a number of schemes.

Since introducing Small Business Rate Relief in response to the economic downturn in April 2010, 35,000 businesses have benefitted from a reduction in their rates liability. By the end of 2015/16 rating year around £100m of support will have been provided through this scheme.

Since April 2012 almost 500 businesses have been set up in empty units on our High Streets through the Empty Shops Rates Concession. This was a policy designed and put in place in Northern Ireland and then subsequently copied in all other regions of the UK. The policy sees 50% rate relief provided to new businesses in their first year of trading where they occupy a long term vacant unit.

Industrial derating, continues to provide 70% rates relief to manufacturing businesses of all sizes in Northern Ireland at a cost of around £60m per annum in revenue forgone.

In addition many business ratepayers who would otherwise have faced excessive rises in their rates bill as a result of local government reform are receiving assistance from the District Rates Convergence Scheme.

In addition to these schemes, business ratepayers have benefited from a regional rate freeze throughout the previous budget period.

**Ms Sugden** asked the Minister of Finance and Personnel whether her Department plans to implement the recommendations of the Northern Ireland Independent Retail Trade Association 15 point plan for cutting the costs to businesses.

**(AQW 50543/11-16)**

**Mrs Foster:** As the Member is aware, my Department recently launched a twelve week consultation exercise on a wide ranging Business Rates review. This will consider the issue of business rates within a wider strategic context. Stakeholders such as NIIRTA are invited to provide input on the direction of business rates in Northern Ireland and I expect they will put forward the rating policy proposals set out in their 15 point plan.

This review is not to raise more money from businesses. We all want to keep rates as low and as acceptable for ratepayers throughout Northern Ireland but we still need to get the money in to pay for the public services that our businesses and citizens need; such as our health, education, policing and roads systems.

I note that 8 or 9 of the 15 points in NIIRTA's plan relate to measures designed to reduce rates for its members and these can be carefully considered as part and parcel of the review. There are no suggestions, however, as to how they can be implemented without jeopardising our public finances. Perhaps this will emerge during the consultation, as rates reductions for one group inevitably mean that some else has to pay more, if our public services are not to suffer.

One final point I would like to make. NIIRTA's 15 point plan states that 45% of our members' rate bills were increased by between 20-200% following the Revaluation. This is far from the case. The impact of the Revaluation has been widely publicised this year by LPS, as you will be aware from the answers you have been given to a whole series of Assembly questions.

**Ms Sugden** asked the Minister of Finance and Personnel to detail how the Rating Policy Division assess and supports the needs of small businesses.

**(AQW 50544/11-16)**

**Mrs Foster:** Rating Policy Division is not responsible for assessing and supporting the needs of small business in Northern Ireland.

However, its role is to advise on ways in which the rating system can be made more responsive and acceptable to the business community. This work is currently being undertaken through the ongoing review of business rates.

I would hope that as many individuals as possible respond to the consultation over the coming weeks though bear in mind that 98% of businesses in Northern Ireland are classified as small and medium sized businesses.

Clearly it is not possible to consult with each and every business individually and my Department is relying on a full engagement with business organisations to represent their views. This process has already begun and the direction of the review was set by the representative organisations who participated in the 4 day Innovation Lab in June this year. Attending that event were representatives from the Federation of Small Businesses, the Institute of Directors, NI Manufacturing, the Chamber of Commerce and the Association of Town and City Management.

Follow up meetings were also held with organisations who could not attend including the NI Independent Retailers Association (NIIRTA) and the CBI.

Since the consultation began on 26 October, preliminary and informal meetings have been held with Hospitality Ulster, NI Manufacturing, the NI Independent Retailers Association and the Federation of Small Businesses. The latter meeting involved the FSB's national policy expert on business rates. This process will continue throughout the consultation period until 25 January.

There are also 3 seminars or conferences scheduled for December and January arranged separately by the Federation of Small Businesses, the NI Local Government Association and the NI Council for Voluntary Action (NICVA).

**Ms Sugden** asked the Minister of Finance and Personnel to outline the role of the Rating Policy Division.

**(AQW 50545/11-16)**

**Mrs Foster:** Rating Policy Division is a small unit of 6 staff and forms part of the Strategic Policy and Reform Directorate within DFP. Its role is to provide advice to the Finance Minister on rating policy, to develop, then appraise and evaluate, new policy issues; to take forward the annual Regional Rates Order (to reflect Executive decisions made as part of the annual budget process) and prepare all rating and valuation legislation taken forward by DFP.

**Ms Sugden** asked the Minister of Finance and Personnel to detail how her Department will consult with local small and medium sized businesses regarding a non-domestic rates review.

**(AQW 50546/11-16)**

**Mrs Foster:** Rating Policy Division is not responsible for assessing and supporting the needs of small business in Northern Ireland.

However, its role is to advise on ways in which the rating system can be made more responsive and acceptable to the business community. This work is currently being undertaken through the ongoing review of business rates.

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There are also 3 seminars or conferences scheduled for December and January arranged separately by the Federation of Small Businesses, the NI Local Government Association and the NI Council for Voluntary Action (NICVA).

**Mr McQuillan** asked the Minister of Finance and Personnel for an update on the introduction of a Northern Ireland Investment Fund.

**(AQO 9080/11-16)**

**Mrs Foster:** Significant progress has been made towards establishing the Northern Ireland Investment Fund. The Deloitte feasibility study has now concluded and further market testing has been carried out to determine the potential structure and scope of the Fund.

However, a significant amount of technically complex work remains before the Fund can become operational and DFP officials continue to engage with the European Investment Bank on these works streams. The outstanding work includes, amongst other things, development of a Fund Investment Strategy, determination of the appropriate governance structure, development of the fund manager procurement strategy and completion of the fund manager procurement process.

**Mr Campbell** asked the Minister of Finance and Personnel for her assessment of the Rating of Empty Homes since its introduction in 2011.

**(AQO 9081/11-16)**

**Mrs Foster:** The Executive's policy of rating empty homes was intended to encourage those who own fit but unused homes to bring them onto the market for sale or rental and to raise some revenue in the process.

I think the policy has been successful on both counts. My Department cannot say how many empty homes are now put to good use. This is because ratepayers pay the same in rates whether a home is occupied or lying empty and LPS do not distinguish between them.

For the same reason the rates raised from the measure form part of the overall rating pool and cannot be calculated. Estimated revenue at the time the policy was introduced indicated that between £10m and £15m a year would be raised. Whatever way you look at it, more properties are now liable for rates which has helped spread the rating burden and kept average bills down for everyone else.

**Ms Ruane** asked the Minister of Finance and Personnel when she will introduce rate relief for amateur sports clubs.

**(AQO 9082/11-16)**

**Mrs Foster:** Relief for amateur sports clubs has been a feature of the rating system in NI for many years.

From 1972 until 1979 there was 35% relief applied and this has been progressively increased since then.

The current scheme was established in 1979 and relief applied at 65%. This was increased to the current level of 80% relief in 2007.

**Mr Kennedy** asked the Minister of Finance and Personnel why it is necessary to review the system of business rates at this time.

**(AQO 9083/11-16)**

**Mrs Foster:** It is necessary to review the system of business rates at this point given that business community has been asking for it for some time.

It was important, however, to allow the recent Non-Domestic Revaluation to take effect before commencing this review; this is therefore the earliest opportunity the Department has had to take this forward.

Many business organisations have expressed the view that the review is a timely one and I know of no organisation that has disagreed with or expressed concerns about its timing.

## Department of Health, Social Services and Public Safety

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 47496/11-15, to provide further details regarding his discussions with the Minister of Finance and Personnel including the (a) dates of any discussions; (b) specific issues discussed; and (c) any outcomes.

**(AQW 48360/11-16)**

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** I have ongoing discussions with Executive colleagues in relation to a range of budgetary matters that affect my Department which are aimed at increasing mutual

understanding of the pressures and demands within the health service. The outcome from the November Monitoring process is awaited.

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety whether (i) there is any funding available for improving or expanding GP surgeries that rent their properties; and if not (ii) he will consider the introduction of funding for this purpose.

**(AQW 50036/11-16)**

**Mr Hamilton:** In April 2015 my predecessor announced an investment of up to £10m for GPs to borrow to invest in upgrading and expanding their premises. However, the GP Loan Scheme, funded via Financial Transactions Capital (FTC), requires security in a suitable form (e.g. premises) and is therefore best suited to improving or expanding GP owned premises. FTC can also be considered for a new build option where current premises are not satisfactory, with the GPs retaining ownership of the new premises.

The Health and Social Care Board (HSCB) is, however, willing to explore the specific circumstances of each GP practice and to consider whether FTC funding could be used to support any development.

Additionally, the General Medical Services Contract roll forward letter, which the HSCB issues to all general practices each year, invites practices to apply for an improvement grant to fund premises developments. The level of improvement grant funding the HSCB can give is not less than 33% or more than 66%. Practices which applied previously have been granted funding provided their proposed project was in line with the terms of the General Medical Services Premises Cost Directions.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety whether his Department has a policy on the implementation of do not attempt resuscitation orders for inpatient treatment, and if so, whether he will provide a copy.

**(AQW 50163/11-16)**

**Mr Hamilton:** Advance Care Planning (ACP) can support more effective communication and decision-making between clinicians and patients. ACP may include decisions around resuscitation.

Each Health and Social Care Trust currently has its own policy for making and recording Do Not Attempt Cardiopulmonary Resuscitation (DNACPR) decisions. Work is ongoing to develop a regional operational policy on DNACPR for use in community and hospital care settings and across organisations.

A booklet 'Your life and your choices: plan ahead (Northern Ireland)' has been developed by the Public Health Agency and Macmillan to help provide the public with information on Advance Care Planning and can be accessed at <http://be.macmillan.org.uk/be/p-21065-your-life-and-your-choices-plan-ahead-northern-ireland.aspx>

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how his Department can work with pharmacists to help deliver more care in the community.

**(AQW 50212/11-16)**

**Mr Hamilton:**

The 'Making it Better through Pharmacy in the Community' strategy sets out the Department's strategic direction for the development of pharmaceutical services. An implementation plan to accompany the strategy was published in February 2015; a copy is available from [www.dhsspsni.gov.uk/making-it-better-pharmacy-community-implementation-plan.pdf](http://www.dhsspsni.gov.uk/making-it-better-pharmacy-community-implementation-plan.pdf).

The implementation plan includes specific actions to increase the utilisation of pharmacists' clinical skills in the delivery of services in the community and greater collaboration of pharmacists with other health and social care professionals to contribute to the improvement of the health of the population.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail (i) any instances of vomiting and diarrhoea at residential care homes in the Southern Health and Social Care Trust area in the last six months; (ii) when the Southern Health and Social Care Trust were first made aware of any instances; and (iii) what action was taken to contain the spread of any instances.

**(AQW 50250/11-16)**

**Mr Hamilton:** The Southern Health and Social Care Trust advise that there have been no instances of vomiting and diarrhoea in their four statutory residential care homes over the last 6 months.

**Mr McKay** asked the Minister of Health, Social Services and Public Safety to detail the number of referrals to autism services in each of the last five years.

**(AQW 50261/11-16)**

**Mr Hamilton:** It is assumed that a referral to autism services means a referral for an autism assessment.

Table 1 below contains the number of referrals received for an assessment for autism spectrum disorder (ASD) at year ending 31st March in each of the last five years.

**Table 1: The number of referrals for an assessment for ASD at year ending 31st March (2011 – 2015)**

	2011	2012	2013	2014	2015
No. of referrals received for an ASD assessment	1,647	2,181	2,465	2,979	3,394

**Source:** HSC Trusts Information Systems

Please note that these figures include referrals for both children and adults

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the number of local children that have travelled to England, Scotland, Wales or the Republic of Ireland for medical treatments, since the 10 September 2015. [R] (AQW 50278/11-16)

**Mr Hamilton:** Information on the number of local children that have travelled to England, Scotland, Wales or the Republic of Ireland for medical treatment, since the 10th September 2015, is not available.

However, information on the number of children that have been approved for travel to England, Scotland, Wales or the Republic of Ireland is available. The Health and Social Care Board (HSCB) have advised, as at Friday 6th November 2015, that since 10th September 2015, 36 children under 16 have been approved to travel to England, Scotland, Wales and Republic of Ireland for medical treatment. The HSCB have advised that ECR approvals information may include referrals for assessment.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) how much was spent on processed pork by each Health and Social Care Trust, in the last twelve months; and (ii) whether his Department intends to issue any guidance on serving processed pork following the publication of the World Health Organisation's report which concluded it causes cancer.

(AQW 50323/11-16)

**Mr Hamilton:** My Department does not hold the information requested in part (i) of the question.

My Department has no plans to issue guidance to the Health and Social Care Trusts on serving processed pork following the publication on 26 October of the findings of an evaluation carried out by the International Agency for Research on Cancer. The current Food Standards Agency guidance for consumers, which is published on NI Direct, is that anyone consuming more than 90 grams (cooked weight) of red and processed meat a day should cut down to 70 grams. This is in line with the advice provided on NHS Choices.

**Mr Allen** asked the Minister of Health, Social Services and Public Safety whether he has any plans to pay National Health Service staff their annual uprating.

(AQW 50344/11-16)

**Mr Hamilton:** Decisions on the 2015/16 HSC Pay Award have not yet been made.

The Department is keen to progress discussions with HSC Trade Unions. These discussions will help inform its decisions

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the number of staff employed in the Health and Social Care Board, broken down by year since its establishment.

(AQW 50379/11-16)

**Mr Hamilton:** The number of staff recorded as having been employed by the HSC Board in each year since its inception are shown in terms of headcount (HC) and whole-time equivalent (WTE) in the table below. Staffing levels are shown at the end of each financial year during which the Health and Social Care Board existed i.e. 31st March. Members of staff with a WTE of less than 0.03 and those on career breaks are excluded.

Year	Headcount	WTE
2010	436	390.0
2011	407	365.1
2012	478	433.8
2013	497	444.6
2014	578	525.4
2015	603	545.9

**Source:** NI HSC HRMS/HRPTS

**Ms Boyle** asked the Minister of Health, Social Services and Public Safety whether people with long term health conditions will be forced to pay any form of prescription charges before the end of April 2016.

**(AQW 50385/11-16)**

**Mr Hamilton:** There are no plans to charge people with long-term conditions for medication dispensed on a Health Service prescription before end April 2016.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on continuing healthcare proposals.

**(AQW 50480/11-16)**

**Mr Hamilton:** My officials are currently undertaking a scoping exercise to re-examine the broader issue of Continuing Healthcare. This includes the development of an options paper which will be submitted to me for consideration in the near future.

Once I have had an opportunity to review the content of the options paper and decided on a definitive way forward, all stakeholders will be notified of the outcome of the scoping exercise.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety what consideration he has given to making an independent life story service an entitlement for care experienced and adopted children.

**(AQW 50533/11-16)**

**Mr Hamilton:** A regional Life Story Service for care experienced and adopted children is currently provided by the Family Care Society. As part of any future review of strategy or legislation as it relates to care-experienced or adopted children and young people, consideration will be given to how service provision for both groups of children could be further enhanced, including Life Story service provision.

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety when he intends to announce and implement the 2015-16 pay award for nurses.

**(AQW 50571/11-16)**

**Mr Hamilton:** Decisions on the 2015/16 HSC Pay Award have not yet been made.

The Department is keen to progress discussions with HSC Trade Unions. These discussions will help inform its decisions

**Mr Allen** asked the Minister of Health, Social Services and Public Safety to detail any communication he has had with the Northern Ireland Ambulance Service regarding the Lifeline Service being operated through the Ambulance Service as a result of the current consultation.

**(AQW 50614/11-16)**

**Mr Hamilton:** Responsibility for commissioning and contract management of the Lifeline Service rests with the Public Health Agency. I have not had any communication with the Northern Ireland Ambulance Service with regards to the Lifeline Service.

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety to detail the number of occasions that officials from the Department of Health in London have been in contact with officials from his Department in the last twelve months, in relation to sharing information and best practice on suicide and self harm issues.

**(AQW 50627/11-16)**

**Mr Hamilton:** The Department of Health in London has been in contact with officials from my Department once in the last twelve months, in relation to sharing information and best practice on suicide and self harm issues.

**Mr Frew** asked the Minister of Health, Social Services and Public Safety to detail the current waiting time for an appointment with a Speech and Language Therapist in the Northern Health and Social Care Trust.

**(AQW 50688/11-16)**

**Mr Hamilton:** Table 1 below details the number of patients in the Northern Health and Social Care (HSC) Trust waiting for an appointment with a Speech and Language Therapist (SALT), by duration of wait, at 30 September 2015. These are the latest figures available.

**Table 1: Patients waiting for an SALT appointment by duration of wait at 30 September 2015 in the Northern HSC Trust**

	Waiting Time					Total
	0-3 weeks	>3-6 weeks	>6-9 weeks	>9-13 weeks	> 13 weeks	
Total No. of Patients	283	162	119	145	154	863

**Source:** Health and Social Care Board

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety for an update on the development of Paediatric Cardiac Services in Belfast.

**(AQO 9089/11-16)**

**Mr Hamilton:** We continue to provide excellent children's heart services in Belfast, and the commitment to developing a specialist Children's Heart Centre within the all-island Network was given in order to preserve and enhance the service. The plans for the Heart Centre are currently being progressed by the Congenital Heart Disease (CHD) Network Board within an overall implementation plan and business case which is expected to be submitted to my Department later this month for consideration and approval. It will describe the vision and standards for the all-island network, building on the model recommended by the International Working Group, including the role of the Belfast Children's Heart Centre within that model. The timeline for the development of the service, announced by my predecessor in October 2014 remains unchanged. That is the phased transfer of the majority of paediatric congenital surgical patients from centres in England to the Dublin children's heart centre will take place over the period 2016 to 2019 and the new Belfast Children's Heart Centre, or hub, will also become operational during this period.

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety for an update on his Department's review of the Future of Adult Care and Support.

**(AQO 9090/11-16)**

**Mr Hamilton:** As part of my Department's Reform of Adult Care and Support, officials are in the process of researching potential reforms and developing an evidence base in relation to how care and support should be provided and funded. Officials are also liaising with other government departments on relevant cross cutting issues.

It is intended that consultation will commence on potential reforms in 2017 before final reforms are identified thereafter.

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety for an update on the establishment of an air ambulance service.

**(AQO 9091/11-16)**

**Mr Hamilton:** In September this year I was pleased to announce my commitment to invest in the transformation of our major trauma services with the establishment of the regional trauma network and the development of a Helicopter Emergency Medical Service (HEMS). The start-up cost for the HEMS is estimated at £2.1m and the annual running costs for it and the network is estimated at £2m. This money is on top of the £151.7m invested in the new Critical Care Building at the Royal Victoria Hospital, which houses the Regional Major Trauma Centre (MTC) for Northern Ireland.

Planning for the HEMS is already underway and the first stage will be a consultation to ask the public for their views on the important matters of: whether the HEMS should be a paramedic or consultant-led service; the main patient groups it should serve; the most suitable home base location; and, how it should be funded. I am keen to see whether we can deliver the service in a public/voluntary sector partnership with charitable donations similar to the service models successfully operated in England.

This transformation of our major trauma service will deliver the vision which the late Dr John Hinds, and his colleagues, have highlighted and I acknowledge the exemplary service that they provide in striving to save lives across Northern Ireland.

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety to outline the reasons for the delay in introducing the Stopping Domestic and Sexual Violence and Abuse Strategy for 2013-2020.

**(AQO 9093/11-16)**

**Mr Hamilton:** Extensive engagement with a diverse range of stakeholders, severe financial pressures and the complex nature of the domestic violence and sexual violence, have been the main contributing factors to the delay.

While I am aware that the Department of Justice has a number of issues to resolve with the Justice Committee, the development process is now largely complete and, in partnership with Minister Ford, I am currently giving active consideration to how my Department can deliver against the aims of the proposed Strategy in the exceptionally difficult financial environment in which we are now operating.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety when he will answer AQW 46693/11-15, AQW 47797/11-15, AQW 48166/11-15, AQW 48167/11-15, AQW 48170/11-15, AQW 48294/11-16, AQW 48355/11-16, AQW 48357/11-16, AQW 48358/11-16, AQW 48513/11-16, AQW 48607/11-16 and AQW 48608/11-16.

**(AQO 9094/11-16)**

**Mr Hamilton:** I have answered 8 of the Assembly questions listed and expect to answer the others in the near future.

**Mr Ó hOisín** asked the Minister of Health, Social Services and Public Safety whether he will join with Scotland and Wales and oppose any changes to junior doctors' contracts.

**(AQO 9095/11-16)**



**Mr Hamilton:** I stated recently that I have no desire to impose a new contract on junior doctors in training. I also want to see junior doctor representatives re-engage with the Department of Health in London and to work together to improve the existing contract which everyone has agreed is not fit for purpose. The 'firm offer' made by the Secretary of State on the 4th November 2015 I believe provides the perfect opportunity for both parties to re-engage in negotiations, as a negotiated settlement is in the best interests of the health service, patients and staff.

On a local level I have instructed my officials to engage in discussions with the local BMA Junior Doctor Representatives to help me to identify and better understand the contractual issues in relation to post-graduate doctors in training in Northern Ireland. It is anticipated that this open dialogue will assist me to make a fully informed decision as to the best way forward for Northern Ireland. I am keen to see these discussions continue.

I am committed to ensuring that appropriate safeguards will be included in any new arrangements. Any new contract must underpin safe working practices, including hours worked, for the benefit of both patients and post-graduate doctors in training, who I recognise as highly valued members of the health and social care workforce.

I can assure you that maintaining the safety of patients and clients, as well as staff will remain my primary focus.

**Mr Ó Muilleoir** asked the Minister of Health, Social Services and Public Safety for an update on the support his Department provides to the Northern Ireland Hospice.

**(AQO 9096/11-16)**

**Mr Hamilton:** My Department has provided capital investment of some £2.7m to assist in the development of the NI Hospice adult hospice project at its site on Somerton Road, Belfast.

The building work commenced in March 2014 and is now well advanced.

My Department currently provides core grant funding of £133,829 per annum to the NI Hospice towards core administration costs. The level of funding in 2015/16 has been maintained at that received in previous years.

The First Minister and Deputy First Minister have also made £1m available to the NI Children's Hospice in 2014/15 and 2015/16 through the Delivering Social Change Fund, which is being administered and overseen by my Department.

The Health and Social Care Board has arrangements in place with the Northern Ireland Hospice to commission both adult and children's hospice services. In 2014/15, funding from the HSCB to the NI Hospice for services amounted to £2.7million.

**Ms Lo** asked the Minister of Health, Social Services and Public Safety when guidelines clarifying the existing law on abortion will be issued.

**(AQO 9097/11-16)**

**Mr Hamilton:** I hope to bring guidance to the Executive shortly.

## Department of Justice

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 49912/11-16, whether both inspections were announced; and whether the approximate 18 month gap between visits is appropriate and acceptable.

**(AQW 50331/11-16)**

**Mr Ford (The Minister of Justice):** Both visits to Edward Street hostel were unannounced. Criminal Justice Inspection unannounced visits to Approved Premises have been in the range of one to 23 months so as to avoid predictability. The timing of visits is determined by an emphasis on public protection, and is deemed appropriate and acceptable.

**Lord Morrow** asked the Minister of Justice whether an instruction has been issued to solicitors and law firms by the Northern Ireland Legal Aid Agency, or any other agency under his departmental remit, to have clients complete their own legal aid applications forms or direct them to community advice offices for assistance, and if so (i) whether notification has been given to the community advice offices; and (ii) has training been offered by his Department.

**(AQW 50332/11-16)**

**Mr Ford:** No instruction has issued from the Legal Services Agency, or any other Agency of my Department, to solicitors and law firms that applicants should complete their own legal aid applications.

Under the Civil Legal Services (General) Regulations (Northern Ireland) 2015 only a solicitor can submit an application to the Legal Services Agency for representation. This application involves the applicant's solicitor providing an assessment of the legal merits of the application.

**Mr Weir** asked the Minister of Justice for an update on the future of Newtownards courthouse.

**(AQW 50342/11-16)**

**Mr Ford:** As I have previously informed the Assembly, I wish to carefully consider all the responses to the consultation before reaching any conclusions.

I hope to have a report on the consultation with the Justice Committee on 26 November following which I will make my decisions.

**Mr Weir** asked the Minister of Justice to detail the provision of defibrillators in courthouses.  
(AQW 50367/11-16)

**Mr Ford:** There are currently seven defibrillators throughout the Court Estate. Two are located in Laganside Courts complex, one in the Royal Courts of Justice, and in the cell areas of Antrim, Coleraine, Dungannon and Londonderry Courthouses.

**Mrs Cameron** asked the Minister of Justice how his Department is measuring the success of the Victim Charter.  
(AQW 50396/11-16)

**Mr Ford:** The Victim and Witness Steering Group, which is made up of representatives from each of the criminal justice organisations and our voluntary sector partners Victim Support NI and the NSPCC, will monitor and assess the delivery of services, including those provided under the Charter. This is an action in the five year Victim and Witness Strategy.

The Northern Ireland Victim and Witness Survey, which seeks the views of victims and witnesses on their experience across the criminal justice system, as well as planned research projects with victims of specific serious crimes, can also be used to seek feedback on the Charter.

To ensure that the Victim Charter is a success, and delivers the standard of support and services to which a victim is entitled, it is important that victims are aware of the Charter and their rights under it. Various steps have been taken to promote the Charter and raise public awareness of it.

The new information leaflet that is given to victims when they report a crime includes reference to the Charter, as does initial correspondence issuing from the Victim and Witness Care Unit. Links to the Charter, and supplementary documents, have been placed on the web sites of key criminal justice organisations. Posters and information cards about the Charter have also been produced and will be made available in police stations and other public buildings.

**Mrs Cameron** asked the Minister of Justice, given that the majority of domestic and sexual assaults happen at weekends, whether he plans any legislative changes to allow Non-Molestation Orders to be served on Sundays.  
(AQW 50397/11-16)

**Mr Ford:** The Sunday Observance (Ireland) Act 1695 provides that no order shall be served or executed on a Sunday (except in cases involving treason, indictable offences or breaches of the peace).

If it is not possible to serve a Non Molestation Order, an officer will consider other appropriate measures, including under the Protection from Harassment (NI) Order 1997 - specifically the offence of harassment and the offence of putting people in fear of violence.

I am assured that measures currently exist to protect victims at risk during the weekend period. In all incidents of domestic violence and abuse, PSNI will exercise their power of arrest where such power exists and where it is necessary and proportionate in order to carry out an effective investigation or prevent further offences.

In addition, information will be provided to a victim of domestic violence on support agencies and a referral can be made by the Police Service with the consent of the party concerned. Officers will also undertake a risk assessment and refer the case for attention by a specialist Domestic Abuse Officer (and thereafter MARAC) if assessed as being 'high risk'.

As I take forward the justice elements of the new "Stopping Domestic and Sexual Violence and Abuse Strategy", I shall consider whether it is necessary to consider amending Section 7 of the Sunday Observance (Ireland) Act 1695 to allow Non-Molestation Orders to be served on a Sunday.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 49783/11-16, to list the substances the tests can detect.  
(AQW 50410/11-16)

**Mr Ford:** Tests administered by hostel staff detect the following substances:

- |                                |                                      |
|--------------------------------|--------------------------------------|
| ■ Abused Prescribed Medication | ■ Cocaine                            |
| ■ Alcohol                      | ■ MDMA (Ecstasy)                     |
| ■ Amphetamines                 | ■ Opiates (e.g. Morphine and Heroin) |
| ■ Benzodiazepines              | ■ Methamphetamines                   |
| ■ Cannabis                     | ■ Methadone                          |

**Lord Morrow** asked the Minister of Justice, in light of the report on the unannounced inspection of Maghaberry Prison 11–22 May 2015, (i) to detail the role of Change Managers; (ii) what the Change Managers have achieved since they began their

roles; (iii) for his assessment of the work, and value for money, provided by the Change Managers; (iv) whether he will order an independent review of the work of the Change Managers; and (v) whether these roles remain tenable and sustainable.  
(AQW 50528/11-16)

**Mr Ford:** NIPS' Change Manager has been leading the programme of transformational reform since May 2012. The Change Manager's role will conclude when the formal programme structures are brought to an end.

To date, 33 of the 40 recommendations made by the Prison Review Team have been signed off, with an additional two recommendations having been referred to Criminal Justice Inspection Northern Ireland for independent assessment.

I will not be ordering an independent review into the work of the Change Manager.

**Lord Morrow** asked the Minister of Justice who will be conducting the independent review as recommended in the report on the unannounced inspection of Maghaberry Prison 11–22 May 2015 into the circumstances of and management response to the serious fire started by prisoners.

(AQW 50531/11-16)

**Mr Ford:** A senior governor from the National Offender Management Service will be conducting the recommended investigation.

**Lord Morrow** asked the Minister of Justice, given the content of the report on the unannounced inspection of Maghaberry Prison 11–22 May 2015, how this facility has operated in compliance of health and safety legislation for prisoners and staff.

(AQW 50549/11-16)

**Mr Ford:** Maghaberry Prison has a dedicated health and safety unit with support from the Headquarters Health and Safety Adviser. There is currently a number of staff within the prison trained to the National Examination Board of Occupational Safety and Health (NEBOSH) Certificate standard. Health and Safety systems and procedures are in place that meet legislative requirements with oversight provided by quarterly reports to the Prison Service Management Board.

**Mr Ó Muilleoir** asked the Minister of Justice how many race hate incident prosecutions have led to convictions, in each of the last five years.

(AQW 50572/11-16)

**Mr Ford:** The Public Prosecution Service for Northern Ireland holds information on the outcome of cases considered by a prosecutor to have involved racial hate crime which was 'Aggravated by Hostility'. I am committed to respecting the independence of the PPS and have been advised that they will respond directly to you.

**Mr B McCrea** asked the Minister of Justice for an update on the future of Magilligan Prison, given the proposals in the Outline Estate Strategy 2012-2022.

(AQW 50603/11-16)

**Mr Ford:** All preparatory work has been completed on the Redevelopment of Magilligan Project pending a decision by the Executive on its capital budget.

The outline business case was approved by the Department of Finance and Personnel in January 2015.

A Design Team is already in place and ready to commence work, subject to capital availability.

My officials will continue to make a strong case to secure funding for the redevelopment of Magilligan, and other NIPS Capital Estates Programme Projects, in advance of the Executive's decision on its capital budget.

**Mr Hussey** asked the Minister of Justice whether any Police Ombudsman staff are currently under investigation; and if so, whether these staff are suspended as a result of such investigation.

(AQW 50636/11-16)

**Mr Ford:** The Office of the Police Ombudsman is operationally independent of my Department. The information sought is not retained by my Department. I have, however, been informed by the Office that it does not have any members of staff currently under investigation and, consequently, no staff are suspended.

**Mr Easton** asked the Minister of Justice how much funding Victim Support NI will receive from his Department in this financial year.

(AQW 50650/11-16)

**Mr Ford:** Funding of £1,827,914 will be provided to Victim Support NI in this financial year to provide support services to victims and witnesses of crime through their Community, Criminal Injuries Compensation and Witness Services as well as providing support for hate crime victims through their Hate Crime Advocacy Co-ordinator.

**Mr Easton** asked the Minister of Justice how much funding the Public Prosecution Service will receive from his Department in this financial year.

**(AQW 50651/11-16)**

**Mr Ford:** The Public Prosecution Service is a non-ministerial government department and does not receive funding from my Department.

Technical budget adjustments can be agreed and actioned by my Department or any other, from or to the PPS, during monitoring rounds.

**Lord Morrow** asked the Minister of Justice (i) on what date was the most recent tender for electronic tagging (a) advertised; and (b) awarded; (ii) what was the duration of the contract; (iii) how many companies tendered; and (iv) who was the successful applicant.

**(AQW 50658/11-16)**

**Mr Ford:** The current electronic monitoring contract was advertised on 18 October 2013 and awarded on 24 March 2014. The contract is for a period of three years with potential for a contract extension for a period of up to a maximum of 24 months. Two companies submitted tenders for the contract and the successful applicant was G4S Security Services (UK) Limited.

**Lord Morrow** asked the Minister of Justice, given the findings of the unannounced inspection of Maghaberry Prison 11–22 May 2015 report, whether separated prisoners in Roe House are on an enhanced regime compared to other prisoners; and how the differentiation in prisoner management between separated and non-separated prisoners meets equality standards, policy and legislation.

**(AQW 50738/11-16)**

**Mr Ford:** Separated prisoners in both Roe and Bush House are managed outside of the integrated regime and are not classified as Enhanced. All prisoners are managed in compliance with Equality standards, policy and legislation.

**Mr McGlone** asked the Minister of Justice, given the Hillsborough Agreement's requirement for reform of the youth justice system, for his assessment of the impact on this reform of the Youth Justice Agency's alignment with the Prison Service, particularly in light of the recent Criminal Justice Inspectorate report on Maghaberry prison.

**(AQW 50768/11-16)**

**Mr Ford:** The Hillsborough Castle Agreement provided for a comprehensive Review of the youth justice system, giving due consideration to international standards and children's rights.

The Scoping Study on Children in the Justice System, which I announced in the Assembly on 19 May, is being undertaken with a view to building on the progress made against this Review and improving outcomes for children and young people by, in particular, keeping as many as possible out of the criminal justice system and providing effective, targeted support and intervention.

The creation of a Reducing Offending Directorate within my Department, which incorporates the Youth Justice Agency, strategic policy on reducing offending amongst children, young people and adults, and the NI Prison Service, allows for the sharing of experience, research and knowledge and is ultimately to the benefit of the criminal justice system.

**Lord Morrow** asked the Minister of Justice what consideration is being given to the recommendation contained in the Criminal Justice Inspectorate report on the unannounced inspection of Maghaberry Prison 11–22 May 2015 that, if it is necessary to continue to manage separated units in line with different criteria from the rest of the prison, their location, management and resources should be removed from the rest of the prison.

**(AQW 50785/11-16)**

**Mr Ford:** As detailed in the published Action Plan, work is ongoing to manage and resource Separation to minimise further impact on the integrated population.

As part of the plans to develop the prison estate NIPS plans to build a dedicated High Security Facility, which will be managed and resourced separately from the rest of Maghaberry Prison. This will be dependent on the availability of capital finance.

**Mr Easton** asked the Minister of Justice where Access NI applications are processed.

**(AQW 50796/11-16)**

**Mr Ford:** AccessNI applications are processed by my Department in offices on the Stormont Estate.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 50203/11-16, whether he intends to request a copy of the report, or briefing on same; and whether any of his departmental staff have received a copy or been briefed.

**(AQW 50835/11-16)**

**Mr Ford:** This is a matter for the Director of Public Prosecution and the Bar Council. Both organisations are independent of me as Minister of Justice and I do not propose to seek a copy of the report or briefing on it. My officials have not received a copy or briefing on any such report.

**Mr Easton** asked the Minister of Justice what is the average time taken to process an Access NI application.  
(AQW 50859/11-16)

**Mr Ford:** The average time to process an Enhanced AccessNI check is currently eight days. Basic and Standard checks are ordinarily being processed within a working day of receipt.

**Mrs Hale** asked the Minister of Justice how many people have been convicted of paramilitary membership since the Good Friday Agreement.  
(AQW 50929/11-16)

**Mr Ford:** Offences relating to membership of a proscribed organisation may be prosecuted under the Prevention of Terrorism (Temporary Provisions) Act 1984, the Northern Ireland (Emergency Provisions) Act 1973, the Northern Ireland (Emergency Provisions) Act 1978, the Northern Ireland (Emergency Provisions) Act 1991, the Northern Ireland (Emergency Provisions) Act 1996 and the Terrorism Act 2000. Information on the number of convictions in relation to these offences is provided in the following table.

**Convictions at courts for membership of a proscribed organisation offences, 1998 – 2014:**

Year	Convictions
1998	2
1999	2
2000	-
2001	-
2002	1
2003	-
2004	-
2005	1
2006	1
2007	1
2008	2
2009	-
2010	-
2011	-
2012	-
2013	-
2014	-
Total	10

**Note:**

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

**Mr Hilditch** asked the Minister of Justice to outline any additional funding that can be allocated to local Policing and Community Safety Partnerships to continue the success of youth intervention schemes.  
(AQO 9106/11-16)

**Mr Ford:** Policing and Community Safety Partnerships are jointly funded by my Department and the Northern Ireland Policing Board. To date, approximately £2.2m has been allocated to support the work of PCSPs in 2015-16.

I am pleased to confirm that further funding of £1.5m (£900k from DOJ and £600k from NIPB) has been released for PCSPs for the remainder of this financial year. It will be for the PCSPs to decide how best they can invest this money in services to improve community safety and public confidence in policing in their area.



In addition to this core funding, I have been able to allocate nearly £117,000 of Priority Youth Intervention funding for projects aimed at disaffected young people who are vulnerable and at risk of involvement in violence and criminal activity, especially at times of heightened tension.

Also in 2015, PCSPs have been successful in accessing approximately £199,000 from my Department's Assets Recovery Community Scheme. This is money which has been taken out of the hands of criminals and returned to the community to fund a wide range of community safety initiatives including youth diversionary and education and awareness projects.

I will soon be inviting PCSPs to bid again for Assets Recovery funding for local community safety project delivery in 2016-17.

**Mr McKinney** asked the Minister of Justice to outline the action his Department is taking to address the increasing numbers of burglaries in South Belfast.

**(AQO 9107/11-16)**

**Mr Ford:** Whilst burglary offences have been on a downwards trend since 2002/03, I understand that the rise in South Belfast is indicative of a recent increase across Northern Ireland.

Burglary, whether committed in a domestic or a non-domestic setting can have a significantly detrimental impact upon individuals and the areas within which they live and work.

For victims of domestic burglary in particular, it is clear that those who carry out this type of crime are targeting the very place where we should feel the safest. This is particularly true in instances where the victim is older or more vulnerable.

Locally, Policing and Community Safety Partnerships have taken forward a range of tailored initiatives and delivered practical crime prevention sessions aimed at older people as well as referral to Neighbourhood Watch schemes.

Recently I supported the launch of a regional domestic burglary campaign. This joint PSNI and PCSP initiative highlighted the few simple steps that individuals can take to protect their home, their family, and their belongings. This campaign also promoted the Commissioner for Older People's 'Nominated Neighbour' scheme.

Linked to this campaign, Belfast PCSP will be targeting hot spot areas for burglary during leaflet drops and hosting a number of public engagement events. I understand that South Belfast DPCSP is also currently exploring possible ways to make the homes of older residents more secure.

This work will support the ongoing actions delivered more generally through both Home Security and Neighbourhood Watch Schemes.

My Department will continue to work in partnership to deliver on its strategic commitments in this area in support of the PSNI's response to this invasive type of criminal activity.

**Mr Clarke** asked the Minister of Justice, following his recent announcement that he will consider both an animal cruelty register and maximising the penalties of those convicted of related offences, to outline when he expects to make a decision on these matters.

**(AQO 9109/11-16)**

**Mr Ford:** I have recently agreed to a request from the Minister of Agriculture and Rural Development to increase the statutory maximum penalties for those convicted of animal cruelty offences under the Welfare of Animals Act (NI) 2011. Although DARD has policy responsibility for animal welfare, it does not have a suitable vehicle to bring forward the necessary legislative amendments in the current mandate. Rather than delay the proposed changes, I have agreed to include provision in the Justice No2 Bill. I am pleased that the Agriculture Committee supported this last week.

The feasibility of a central register is one part of the joint DARD and DOJ animal welfare review into the implementation of the 2011 Act.

The establishment of a central register raises complex legal issues about the sharing of conviction data and how such a system would work in practice. DOJ and DARD are working through these issues.

**Mr B McCrea** asked the Minister of Justice to outline any discussions he has had with the Minister for Regional Development and the Minister for Social Development to address the problem of the illegal flying of flags in the community.

**(AQO 9110/11-16)**

**Mr Ford:** The Executive policy lead on this issue falls to the First Minister and deputy First Minister and not to me.

The Stormont House Agreement committed parties to a Commission on flags, identity, culture and tradition. Responsibility for that falls to OFMDM. I have not, therefore, engaged directly with other Ministers on this matter.

Naturally, I want to see progress on this issue, because of the divisive effects on community relations of illegal flag flying and the consequences for the justice system.

**Mr Dickson** asked the Minister of Justice for an update on the outcome of the Speeding up Justice pilot in the Ards court division.

**(AQO 9111/11-16)**

**Mr Ford:** The Indictable Cases Pilot launched in Ards on 2 January this year and will run until the end of December.

Currently, 128 cases are in the pilot, of which 96 are at court stages. Ten cases have concluded. Two of those cases took only 56 days from the date the incident was reported to police until sentencing, with an average of 97 days across the ten concluded cases.

This is a significant improvement on processing times for the same period in the same area last year, when the average time taken was 197 days.

I want to recognise the tremendous efforts of PSNI, PPS and FSNi in the pilot, and the leadership provided by the Lord Chief Justice and local judiciary.

**Ms Sugden** asked the Minister of Justice why his Department has only met the Commissioner for Older People for Northern Ireland on two occasions since 2012 to discuss both crime and the fear of crime amongst older people.

**(AQO 9113/11-16)**

**Mr Ford:** The formal meetings with the Commissioner for Older People for Northern Ireland to which the Member refers do not represent the full extent of the work which my Department has taken forward to address fear of crime amongst older and vulnerable people.

Members will be aware from previous questions of the work my Department has undertaken to address fear of crime, including through the Older Persons Delivery Group, established to take forward actions to address fear of crime under the Community Safety Strategy. This group, chaired by my Department, includes a range of statutory and non-statutory bodies.

The Office of the Commissioner for Older People for Northern Ireland was previously invited to provide representation on the Older Persons Delivery Group, but was not in a position to take up the offer at that time. My officials continue to liaise with the Commissioner's staff as required on issues around fear of crime.

My Department works closely with Age Sector Platform, a voluntary sector organisation which has a membership of individuals and older people's groups across Northern Ireland, representing approximately 200,000 people. Age Sector Platform engages with the Office of the Commissioner on broader issues affecting older people.

My Department recently supported Age Sector Platform in the development of their "Feel Safe" guide, which has a particular focus on practical measures that older people can take to avoid becoming a victim of opportunistic crime such as burglary and bogus callers.

Age Sector Platform is currently working with my Department on the development and delivery of workshops on a regional basis to promote the messages in this guide and to address the concerns that older people have around crime. These workshops will include a range of advice on how they can avoid becoming victims of crime, and representation from key providers of advice such as the Trading Standards Service.

## Department for Regional Development

**Mr McGlone** asked the Minister for Regional Development when she will sign off on the agreed speed limit reductions outside Derrychrin, Ballylifford and Drummullan St Malachy's Primary Schools.

**(AQW 50009/11-16)**

**Miss M McIlveen (The Minister for Regional Development):** The Derrychrin, Ballylifford and Drumullan speed limits are contained in The Roads (Speed Limit) (No. 4) Order (Northern Ireland) 2015. I have approved the draft Order and notice has been sent to the Committee for Regional Development.

I am hopeful that the speed limits can now be implemented at Derrychrin, Ballylifford and Drumullan during December 2015.

**Lord Morrow** asked the Minister for Regional Development how motorcyclists can be detected by bus lane cameras, given the positioning of their registration plates.

**(AQW 50179/11-16)**

**Miss M McIlveen:** In situations where motorcycles are travelling illegally in bus lanes, these lanes are prioritised for enforcement and the mobile camera unit, which can position its CCTV camera to read rear number plates, may be deployed.

**Mr Ó Muilleoir** asked the Minister for Regional Development for an update on the introduction of residents' parking schemes in Belfast.

**(AQW 50189/11-16)**

**Miss M McIlveen:** I have no proposals, at this time, to implement residents' parking schemes in any other areas of Belfast other than the Lower Malone and College Park Avenue / Rugby Road areas of South Belfast.

On 29 October 2014, my officials advertised their intention to introduce residents' parking schemes in the Lower Malone and Rugby Road/College Park Avenue areas of Belfast. During the 22-day formal notice period 51 objections were received for

the Lower Malone scheme and 6 objections were received for the Rugby Road/College Park Avenue scheme. In addition, 5 objections were received to both schemes.

Each objector has been offered the opportunity of a meeting to explain the rationale for the scheme and to listen to their concerns, with the hope that they would remove their objection. During March this year my officials met with some of those objectors and four of the objections were subsequently withdrawn. Three of these were from the Lower Malone area and one from the Rugby Road/College Park Avenue area. Unfortunately, until the other objections have been dealt with, the schemes are unable to proceed.

I wish to take some time to consider my Department's policy and the difficulties with its implementation and, in due course I will be meeting with my officials to discuss the progress of these and other proposed residents' parking schemes in Northern Ireland.

**Mr Wells** asked the Minister for Regional Development whether her Department is responsible for the removal of litter from the Sheepbridge Car Park near Newry.

**(AQW 50190/11-16)**

**Miss M McIlveen:** Sheepbridge Park and Share facility is a Transport NI site. This location is routinely inspected by my officials on a monthly basis and any maintenance work required, including litter removal, is identified during this inspection and programmed for removal.

**Mrs Cameron** asked the Minister for Regional Development whether her Department has had, or plans to have, any discussions with Translink to extend the 300 Airport Link Bus Service to include an alight and halt point at the new Ballymartin Park and Ride facility.

**(AQW 50231/11-16)**

**Miss M McIlveen:** I refer you to my previous response AQW49525/11-16 on this topic.

**Mr Easton** asked the Minister for Regional Development to list the roads in North Down that require resurfacing, ranked in order of priority need.

**(AQW 50264/11-16)**

**Miss M McIlveen:** My Department undertakes an annual programme of road reconstruction and resurfacing works, subject to the availability of financial resource. Safety inspections help to identify the condition of public carriageways and this information is then used in the preparation and prioritisation of TransportNI's annual resurfacing programme.

Programmes are prepared on the basis of a number of factors encompassing the road usage, general surface condition, structural deformation, public enquiries and public liability claims. However, it is necessary to regularly revise and reprioritise schemes for a wide range of reasons, for example, receipt of additional in year funding, notification of works by utilities etc. This, unfortunately, can result in some planned works being delayed longer than initially planned.

At present, the three highest priority roads within North Down that require resurfacing, ranked in order of priority need, are as follows:

- High Street, Holywood
- Ballymiscaw Road, Holywood
- Ballyrobert Road, Crawfordsburn

It should be noted that this list is continually assessed, with individual schemes being prioritised relative to each other. However, the timescale for their implementation is subject to the availability of funding.

**Mr Easton** asked the Minister for Regional Development to list the footpaths in North Down that require resurfacing, ranked in order of priority need.

**(AQW 50265/11-16)**

**Miss M McIlveen:** My Department's programme of potential new footway schemes in the North Down area is continually assessed with individual schemes prioritised relative to each other.

Programmes are prepared on the basis of a number of factors encompassing the road usage, general surface condition, structural deformation, public enquiries and public liability claims. However, it is necessary to regularly revise and reprioritise schemes for a wide range of reasons, for example, receipt of additional in year funding, notification of works by utilities etc. This, unfortunately, can result in some planned works being delayed longer than initially planned.

At present, the three highest priority footways within North Down that require resurfacing are as follows:

- My Lady's Mile, Holywood
- Morston Park, Bangor
- Seymour Park, Bangor

It should be noted that this list is continually assessed, with individual schemes being prioritised relative to each other. However, the timescale for their implementation is subject to the availability of funding.

**Mr Easton** asked the Minister for Regional Development what the cost would be to spray the footpaths in North Down for weeds. (AQW 50267/11-16)

**Miss M McIlveen:** I can advise the member the annual cost to carry out weed control operations within the North Down area is approximately £78k.

**Mr Middleton** asked the Minister for Regional Development what measures her Department and Transport NI have in place to assist road users and pedestrians during the winter period.

(AQW 50271/11-16)

**Miss M McIlveen:** Some 300 staff are available every day to salt the road network that serves around 80% of daily traffic flow in Northern Ireland. The full winter service fleet of 130 gritters and eight specialist snow blower vehicles are operational and available to be deployed to help drivers and road users cope with wintry conditions.

Salt barns and stockpiles have also been filled to maximum capacity. In addition, I already have reserve stocks of around 20,000 tonnes of salt, strategically placed at points across Northern Ireland, taking the overall stock level to over 90,000 tonnes of salt. I have also made provision for further supplies of salt, if required, at the rate of around 15,000 tonnes per month.

During periods of prolonged snow, all gritters will be fitted with snow ploughs and efforts directed to clearing snow from motorways and the trunk roads, before moving to other main roads and the busiest urban link roads. In addition, contracts are in place to enable contractors and farmers to help to clear roads of snow.

My Department will continue to provide approximately 4,800 salt bins and 50,000 grit piles, placed at strategic locations, for use on a self help basis by pedestrians and motorists alike to help prevent the formation of snow and ice on pavements and untreated roads. These will be continually replenished, as required, throughout the winter period.

In addition, as a further measure relating to footways, I can confirm that at the end of last season arrangements were in place with 25 out of the 26 Councils for the clearance of ice and snow from town and city centre footways during prolonged severe weather. My Department is currently consulting with the new super councils to roll over these agreements for this important service.

**Mr Dallat** asked the Minister for Regional Development when the refurbished Enterprise trains will resume service between Belfast and Dublin; and whether there are plans to introduce an early morning train to Dublin.

(AQW 50273/11-16)

**Miss M McIlveen:** Translink has advised that the first refurbished Enterprise train re-entered passenger service on 16 November 2015 and it is planned that the remaining three Enterprise trains will re-enter service by the end of 2015.

Discussions between Translink and its partners Irish Rail on a new Enterprise timetable are on-going. This includes the possibility of an earlier train arrival in Dublin.

**Mr Dallat** asked the Minister for Regional Development to detail the reduction in the number of level crossings on the Belfast-Derry railway over the last five years; and what plans are in place to make further reductions in level crossings.

(AQW 50274/11-16)

**Miss M McIlveen:** Translink has advised that the number of level crossing closures on the Belfast to Londonderry line in recent years is as follows:

Year	Amount
2010	6
2011	24
2012	10
2013	5
2014	3
2015	7
<b>Total</b>	<b>55</b>

Translink is currently in negotiations with the owners of land at an additional 27 crossings on the line who have indicated they would like to progress the closure of their crossing(s).

Closure is dependent on several factors;

- Agreement with other third parties (when building laneways, etc. are involved);
- Requisite statutory approvals;
- Agreeing compensation; and
- Internal approvals process.

Some of these potential closures are at an advanced stage and may be completed in this financial year.

**Mr Clarke** asked the Minister for Regional Development why there are occasions on which students are back to school before their travel passes are issued.

**(AQW 50307/11-16)**

**Miss M McIlveen:** Student travel passes are the responsibility of the Education Authority (EA). Translink produces travel passes for the Education Authority (EA). However, Translink can only produce a travel pass once it has been formally requested by the EA. Translink believe it is the capture of each individual pupil's travel requirements which is the main cause of delay.

Translink has advised that there are two significant peaks in pass production every year.

The first peak occurs in July and relates to passes required for eligible pupils who are starting secondary school for the first time and also for eligible pupils who are returning to school for another academic year.

The second peak occurs in late August, usually after GCSE exam results are known, which leaves a short amount of time before the start of school term. This peak relates to passes for eligible pupils who may either stay on at the same school or change to another school or college.

This year, Translink accepts it made changes to its services and timetables relatively late in summer. This was due to negotiations with the Unite trade union who asked for time to endorse the changes. This was agreed at the time with my predecessor.

In some cases these changes led to delays in the production of travel passes. However, authorisation letters for the affected pupils were provided to ensure that they could avail of free school travel on Translink services.

**Mr Frew** asked the Minister for Regional Development for an update on the introduction of residents' parking schemes.

**(AQW 50309/11-16)**

**Miss M McIlveen:** My Department is currently proposing residents parking schemes in the Lower Malone, Stranmillis and Rugby Road areas in Belfast, as well as Antrim and Londonderry. These schemes are at varying stages of development. However, following a recent round of consultations with residents affected by the Lower Malone scheme, a significant degree of objection was received which my officials are currently considering.

The mixed reaction to residents parking schemes, and the need to take account of the often conflicting views of those affected by the proposals has resulted in limited progress on their introduction. Unfortunately the obstacles are such that my officials are reviewing the longer term viability of such schemes.

I am conscious of the significant resource that has been expended since the first schemes were proposed in 2008 and am concerned that to date, only one small scheme in Antrim has been completed through the statutory processes successfully. In addition, I am concerned that the cost of works on the ground to facilitate the implementation of residents' parking schemes and the consequent ongoing enforcement would impose a financial burden on my Department.

**Mr Frew** asked the Minister for Regional Development for an update on the road safety review of the A26 from Dunsilly to Ballee.

**(AQW 50314/11-16)**

**Miss M McIlveen:** My Department, in conjunction with PSNI, has completed an initial review of safety along the A26 from Dunsilly to Ballee.

This investigation has shown that although there is a history of collisions on this route, it is considered 'medium risk' due to the volume of traffic using the road.

Approximately 50% of the collisions occur at random locations, with a variety of causation factors which are difficult to resolve using engineering measures alone. The remaining collisions are concentrated around the junctions at Barnish Road, Fernisky Road, Woodgreen Road and Cromkill Road.

My Department is currently considering appropriate remedial measures at these junctions and will advise Mid and East Antrim Council of these once definitive schemes are developed.

**Mr Frew** asked the Minister for Regional Development what traffic management measures are being considered to improve road safety at the Woodgreen Junction with A26 Lisnevenagh Road.

**(AQW 50315/11-16)**



**Miss M McIlveen:** My Department's officials met with PSNI on site at Woodgreen on 20 October 2015 to discuss the collision history at this junction. As a result, a number of site specific Traffic Management measures are currently being considered for this location.

However, before a final decision can be made on the extent of remedial measures, further detailed traffic surveys are required to ascertain turning movements, volumes and classification. It is hoped this survey will take place in the next few weeks.

I have asked my officials to advise the Mid and East Antrim Council once a definitive scheme for this junction is developed.

**Mr Frew** asked the Minister for Regional Development for an update on the proposed Cullybackey throughpass.  
(AQW 50316/11-16)

**Miss M McIlveen:** The Cullybackey throughpass scheme is included in the old but still current Ballymena Area Plan 1986–2001. This status ensures that the indicative road alignment for the scheme is afforded planning protection.

Some preliminary design work for the scheme has been completed by TransportNI, however the scheme is not currently on my Department's works programme.

The funding for major capital road improvement schemes is focused on improving the Key Transport Corridors across Northern Ireland. The Cullybackey Bypass is not located on a Key Transport Corridor and therefore it is not included in the Regional Strategic Transport Network Transport Plan 2015 (RSTNTP) for Northern Ireland.

**Mr McKay** asked the Minister for Regional Development whether she would consider putting in place an annual budget for the development of greenways.  
(AQW 50375/11-16)

**Miss M McIlveen:** I am keen to look at ways in which I can assist in the development of greenways and am giving consideration to drawing up a strategic plan for greenways throughout Northern Ireland. Such a plan could consider ways in which individual schemes might be funded.

My Department is working closely with DTTAS to scope out greenway projects for INTERREG V funding particularly those that are strong propositions in their own right. The budget provision allocated under this programme is €14 million and within this I would be willing to consider supporting specific projects that promote sustainable or active travel. It is the sustainable travel aspect of the greenway that will be key in determining which projects are funded under INTERREG.

I believe that there is also an opportunity for other bodies, such as local councils, to make a contribution to developing greenways.

**Mr McKay** asked the Minister for Regional Development for an update on the progress of the A26.  
(AQW 50376/11-16)

**Miss M McIlveen:** The A26 Dualling scheme commenced in January 2015, and to date its construction has been progressing well. So far, around one million tonnes of earth has been moved, and the realignment of a section of the River Clough along with the demolition of the Crankhill Bridge have been completed. Three culverts have also been installed and work is currently progressing on the construction of three new bridges as part of the scheme.

The work is currently on programme and is expected to be completed by summer 2017.

**Mr Easton** asked the Minister for Regional Development what the cost would be to cut the grass on the road verges and central reservations in North Down.  
(AQW 50381/11-16)

**Miss M McIlveen:** It costs my Department between £8,000 and £9,000 per grass cut, to cut the verges and central reservations for safety reasons within the North Down area.

**Mr Easton** asked the Minister for Regional Development whether sufficient salt has been stockpiled to deal with any major snow falls this winter.  
(AQW 50383/11-16)

**Miss M McIlveen:** As part of my Department's winter service preparations, salt barns, which are strategically placed in depots throughout Northern Ireland, have been filled to capacity.

I can confirm that approximately 70,000 tonnes of salt is available in these barns for the start of coming winter period. This is more than enough to treat the scheduled roads during a typical winter.

TransportNI has additional resilience salt stocks, held at six strategic locations, totalling a further 20,000 tonnes. This stock is held over and above normal operational requirements for use only during prolonged severe wintry conditions, such as those experienced during the 2010/11 winter.

My Department also has arrangements in place to supplement stocks throughout the winter period, with an additional 15,000 tonnes per month available if required.

**Mr McKinney** asked the Minister for Regional Development for her assessment of the level of parking fines being imposed within the grounds of private shopping centre premises.  
(AQW 50384/11-16)

**Miss M McIlveen:** My Department has no authority or responsibility for the regulation of car parks on private land, so does not gather information on the level of parking fines being imposed.

I cannot therefore offer any assessment.

**Mr McKay** asked the Minister for Regional Development when work on the A26 will be completed.  
(AQW 50716/11-16)

**Miss M McIlveen:** The A26 Dualling scheme commenced in January 2015, and to date its construction has been progressing well. So far, around one million tonnes of earth has been moved, and the realignment of a section of the River Clough and the demolition of the Crankhill Bridge has been completed. Three culverts have also been installed and work is currently progressing on the construction of three new bridges along the scheme.

The work is currently on programme and is expected to be completed by summer 2017.

**Mr Lyttle** asked the Minister for Regional Development whether Part VII 87 (1) of the Roads (Northern Ireland) Order 1993 includes flags and street lighting columns.  
(AQW 50779/11-16)

**Miss M McIlveen:** Article 87(1) of the Roads (Northern Ireland) Order 1995 states:

87. - (1) Any person who, without lawful authority—

- (a) paints or otherwise inscribes or affixes any picture, letter, sign or mark; or
- (b) displays any advertisement,

upon the surface of a road or upon any tree, structure or other works in or on a road, shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

While flags are not specifically listed in the article, I can confirm that street lighting columns are included, since they are structures in or on a road.

## Department for Social Development

**Ms McCorley** asked the Minister for Social Development for a breakdown of any investment, including capital, his Department has made in West Belfast since May 2011.  
(AQW 50194/11-16)

**Mr Storey (The Minister for Social Development):** The table below shows the breakdown of investment, including capital, made within West Belfast since May 2011:

Year	Urban Group (£)	Social Security Agency (£)
2011-12	8,832,809	5,487,088
2012-13	10,115,366	7,694,770
2013-14	8,006,799	8,598,436
2014-15	8,279,767	8,041,012
2014-15 (to Sept 2015)	6,447,856	3,913,432

In addition to the above amounts, May 2011 – Under PEACE 111, Priority 2.1 (Creating Shared Public Spaces) four projects within the West Belfast area been received match-funding of £832,307. It is not possible to disaggregate this figure into financial years.

**Mr Allen** asked the Minister for Social Development to detail (i) any housing improvement and maintenance scheme work completed in the last twelve months; (ii) any improvement and maintenance scheme work scheduled for the future in East Belfast; and (iii) the timeframe for those schemes, listed by housing area.  
(AQW 50206/11-16)

**Mr Storey:** The NIHE has provided the following tables, which detail the improvement and maintenance scheme works it has completed in East Belfast in the last twelve months, those that it is due to complete, and those it has planned, along with the proposed timeframes for those schemes.

**Table 1: Completed Projects**

	<b>Scheme Name</b>	<b>Dwellings</b>	<b>Status</b>
Adaptations (Lifts or extensions)	Various (15 individual schemes)	15	Complete
Heating	14/15 – 15 year old oil systems	75	Complete
Heating	BBU Lower Beersbridge/M'Forde	169	Complete
Kitchens	Bloomfield	79	Complete
Double Glazing	Castlereagh phase 2 – Cregagh	162	Complete
Double Glazing	Castlereagh Phase 4- Tullycarnet	191	Complete
Kitchens	Frank/Stormount Street	57	Complete
External Maintenance	Hollywood Road	288	Complete
Heating	Kings Road flats	52	Complete
Heating	Knocknagoney/Inverary BBU	297	Complete
Double Glazing	Lower Woodstock Phase 2	185	Complete
Kitchens	Major/ Hornby Street	135	Complete
External Maintenance	Newtownards Road/Short Strand	96	Complete
Heating	Oil replacement East	144	Complete
Heating	Pre 98 Room heater/ Oil to Gas	34	Complete
Heating	Sunderland Road	17	Complete
External Maintenance	Sydenham/Bloomfield	104	Complete
Kitchens	Tower Court	112	Complete
Heating	Tullycarnet	40	Complete
	Total complete	2252	

**Table 2: Due for Completion**

	<b>Scheme Name</b>	<b>Dwellings</b>	<b>Status</b>	<b>Expected Completion</b>
Heating	15/16 – 15 year old gas- Outer East Belfast	15	Due on site Nov	Jan 2016
Adaptations (Lifts or extensions)	Various (3 individual schemes)	3	1 Due on Site Nov, 2 on site/ complete	Dec2015
Fire Doors	Low Rise Fire Doors East- Flats throughout East Belfast	314	Due on-site Nov	May 2016
External Maintenance	Avoniel/Bloomfield	266	On Site	Jan 2016
Heating	BBU East- Throughout East Belfast	220	On Site	March 2016
Kitchens	Lower Beersbridge	101	On Site Nov 2015	May 2016
	Total due for completion	919		

**Table 3: Planned**

	<b>Scheme Name</b>	<b>Dwellings</b>	<b>Expected start date</b>
Adaptations	Various (7 individual schemes)	7	March 2016
Kitchens	Braniel Kitchens	119	March 2016
Bathroom & Kitchen	Constance/ Edith BKR	109	January 2016
External Maintenance	Cregagh 2/4/5	290	March 2016
	East Belfast Fascia (Constance/ Edith St)	105	January 2016

	<b>Scheme Name</b>	<b>Dwellings</b>	<b>Expected start date</b>
Kitchens	Garnerville/Kocknagoney - Pre 1990	115	April 2016
Fire Doors	Kings Road Flats	89	March 2016
External Maintenance	Lower Newtownards Road (Titanic)	492	April 2016
Heating	East 1998/99 Oil to Gas Phase2	131	2016/17 – start date to be confirmed
Heating	15/16 15 year old oil	35	2016/17
External Maintenance	Albertbridge/Avoniel	468	2016/17
External Maintenance	Braniel Upper	207	2016/17
Heating	Cappagh Gardens	44	2016/17
Double Glazing	Castlereagh Retrofit	70	2016/17
Kitchens	Castlereagh/Downshire	138	2016/17
External Maintenance	Clarawood	298	2016/17
Heating	East 1998/99 Oil to Gas Phase 1	171	2016/17
Multi-Element Improvement	East Belfast Single House Rehabs – various single addresses including Constance St flats	14	2016/17
Heating	East Electric Heat to gas	139	2016/17
Fire Doors	High Rise Fire Doors	471	2016/17
External Maintenance	Inverary	154	2016/17
Multi-Element Improvement	Kings Road Flats	116	2016/17
External Maintenance	Kings Road/Sunderland Road Flats	120	2016/17
Heating	Pre 2002 HEAT East	200	2016/17
External Maintenance	Short Strand / Bridgend /Cluan	298	2016/17
Kitchens	Tullycarnet	100	2016/17
Cladding / Double Glazing / reroofing*	Whincroft House	56	2016/17
Cladding / Double Glazing / reroofing*	Carnet House	72	2016/17
	<b>Total Planned</b>	<b>4628</b>	

\* Whincroft House and Carnet House are a combined scheme totalling 128 properties. As this scheme involves cladding the exterior of the buildings the number of dwellings in the scheme includes some non-NIHE properties.

**Mr Swann** asked the Minister for Social Development to detail the number of people who have presented as homeless in (i) North Antrim; (ii) Mid and East Antrim Borough Council; (iii) Causeway Coast and Glens Borough Council; (iv) Ballymena Legacy Council; and (v) Ballymoney Legacy Council areas, in each of the last four years.  
**(AQW 50230/11-16)**

**Mr Storey:** The Housing Executive has provided the table below, which details the number of people who have presented as homeless in the areas in question.

	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>
North Antrim *	1213	1074	976	1033
Mid and East Antrim Borough Council	1565	1465	1417	1499
Causeway Coast and Glens Borough Council	1145	1130	1084	1124
Ballymena Legacy Council	904	767	695	763
Ballymoney Legacy Council	209	185	143	138

- \* The Housing Executive has advised that it is not possible to provide accurate homelessness figures for North Antrim Parliamentary Constituency – these figures are an amalgamation of former Ballymena, Ballymoney and Moyle Council areas. Moyle Council includes Waterfoot, Cushendall and Cushendun areas whereas North Antrim Parliamentary Constituency does not.

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**Mr Flanagan** asked the Minister for Social Development, pursuant to AQW 48450/11-16, to detail (i) the number of queries the Housing Executive has directed to each of the electricity suppliers in each of the last three years; and (ii) how many of the queries have been answered.

**(AQW 50280/11-16)**

**Mr Storey:** The Housing Executive has advised that the information is not available in the format requested because enquiries to electricity providers are made on a case by case basis and are not compiled in any central register.

**Ms Sugden** asked the Minister for Social Development, pursuant to AQW 50072/11-16, to detail (i) which groups received funding through the Women's Centres Childcare Fund; and (ii) what responsibility his Department has to ensure similar funding provisions remain as part of a new childcare strategy.

**(AQW 50289/11-16)**

**Mr Storey:** The Women's Centres Childcare Fund Groups are:

- |                              |                                      |
|------------------------------|--------------------------------------|
| ■ ATLAS Women's Centre       | ■ Kilcooley Women's Centre           |
| ■ Ballybeen Women's Centre   | ■ Magherafelt Women's Group Ltd      |
| ■ Chrysalis Women's Centre   | ■ Shankill Women's Centre            |
| ■ Falls Women's Centre       | ■ Strathfoyle Women's Activity Group |
| ■ First Steps Women's Centre | ■ The Women's Centre Derry           |
| ■ Footprints Women's Centre  | ■ Waterside Women's Centre           |
| ■ Greenway Women's Centre    | ■ Windsor Women's Centre             |
- (i) My Officials have been in discussions with OfMdfM Officials regarding the services to be covered under the new childcare strategy.

**Mr Frew** asked the Minister for Social Development to detail the number of planned new social housing units in the next five years in (i) Ballymena; (ii) Broughshane; (iii) Cullybackey; (iv) Ahoghill; (v) Kells; (vi) Portglenone; and (vi) Clough.

**(AQW 50317/11-16)**

**Mr Storey:** The Social Housing Development Programme is formulated on a three year basis, so I am unable to provide details of any schemes planned beyond 2017/18.

Location	Programmed on-site year			Total
	2015/16	2016/17	2017/18	
Ballymena	182*	79	69	330
Broughshane	0	7	40	47
Cullybackey	24	0	0	24
Ahoghill	0	0	0	0
Kells	9	0	0	9
Portglenone	0	0	10	10
Clough	0	0	0	0
<b>Total</b>	<b>215*</b>	<b>86</b>	<b>119</b>	<b>420</b>

\* of which 53 units are Supported Housing

Please be advised that programmed schemes can be lost or slip to future programme years for a variety of reasons. New schemes may also be added through the annual housing association bidding round / programme formulation process. This process is currently underway and we hope to publish the new SHDP 2016/17 to 2018/19 in early 2016.

**Mr McKay** asked the Minister for Social Development to detail (i) the provision of each traveller halting site; and (ii) whether he has any plans to expand this provision.

**(AQW 50373/11-16)**



**Mr Storey:** The current provision of Traveller halting sites (transit sites) is detailed in the table below:

Strabane	Greenbrae
Londonderry	Daisyfield Ballyarnett
Coalisland	The Glen
Belfast	Glen Road Heights
Craigavon	Legahory Close

Based on the latest Traveller Needs Assessment and NIHE's record of unauthorised encampments, there are currently no plans to expand this provision.

**Mr Dunne** asked the Minister for Social Development whether urban regeneration and community development powers and budgets are still set to be conferred on local councils from 1 April 2016.

**(AQW 50394/11-16)**

**Mr Storey:** You will be aware that the proposed transfer of powers to local government in April 2016 is dependent on the successful passage of the Regeneration Bill through the Assembly. The Bill completed its formal consideration by the Social Development Committee on 28 May and the Committee has proposed a number of amendments in its report. I am currently considering the options for the way forward, before bringing the Bill to the Assembly for Consideration Stage.

**Mr McMullan** asked the Minister for Social Development for his assessment of the supply of social housing in rural areas.

**(AQW 50425/11-16)**

**Mr Storey:** I am committed to increasing the number of social homes throughout Northern Ireland whether it is in an urban or rural area. Housing activity in rural areas, which is classed as a settlement with a population of up to 5,000 is identified by the Northern Ireland Housing Executive through their Rural Action Plan, and then delivered through the Social Housing Development Programme.

During the last financial year 2,013 new social homes were started in Northern Ireland of which 119 were in rural areas, which is an increase of 12% in rural new starts from the previous year. In monetary terms, this equates to some £6.5 million of Housing Association Grant invested in new social housing schemes in the rural parts of Northern Ireland to help address need and sustain local communities.

I continue to support the Northern Ireland Housing Executive's commitment to deliver social housing in rural communities.

**Mr Easton** asked the Minister for Social Development to detail the final cost of the Public Realm work in Bangor.

**(AQW 50452/11-16)**

**Mr Storey:** The public realm works in Bangor town centre are progressing well and on target to be completed by September 2016. The estimated final cost for the works is expected to be £8,081,000.

**Mr Easton** asked the Minister for Social Development to detail the final cost of the Public Realm work in Holywood.

**(AQW 50453/11-16)**

**Mr Storey:** The public realm works in Holywood town centre were completed in June this year and the estimated final cost for the scheme is £2,464,201.

**Mr Easton** asked the Minister for Social Development to detail the final cost of the Public Realm work in Donaghadee.

**(AQW 50454/11-16)**

**Mr Storey:** The public realm works in Donaghadee town centre are due to complete later this month and the final estimated cost is £2,417,493.

**Mr Easton** asked the Minister for Social Development how many cases of anti-social behaviour have been recorded by the Housing Executive due to (i) damage caused to property; or (ii) problem tenants in the last three years.

**(AQW 50455/11-16)**

**Mr Storey:** The Housing Executive has advised that in relation to (i) the number of anti-social behaviour cases recorded for damage to property were as follows:-

- 2013/14 60
- 2014/15 95
- 2015/16 to date 59

The Housing Executive has further advised that the information in relation to (ii) is not available in the format requested because they record 22 categories to determine different types of anti-social behaviour and the table below outlines the cases recorded across Northern Ireland since 2013.

Anti-Social Behaviour Category	2013/14	2014/15	2015/16 to date
Ageism	0	0	0
Alcohol	18	23	21
Boundary Dispute	22	13	15
Criminal Behaviour	40	47	29
Damage to Property	60	95	59
Disability Discrimination	0	1	0
Domestic Violence	3	7	2
Drugs	23	13	16
Gardens	206	178	174
Harassment	181	174	153
Homophobic Abuse	1	1	0
Intimidation	16	12	14
Multiple	568	493	300
Noise	1,124	1,101	626
Nuisance from Business use	3	6	7
Nuisance from Vehicles	54	46	35
Nuisance in a public space	111	150	119
Pets and animals	405	403	263
Racial Abuse	9	12	5
Rubbish Dumping	205	168	114
Sectarian Abuse	4	4	2
Verbal Abuse	109	105	0
Unallocated	0	0	88
<b>Total</b>	<b>3,162</b>	<b>3,052</b>	<b>2,042</b>

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**Mr Gardiner** asked the Minister for Social Development to detail (i) how many planned ministerial meetings were cancelled between the 10 September 2015 and the 20 October 2015; (ii) the intended date and attendees of each meeting; (iii) which of those meetings have since taken place; and (iv) which of those meetings have now been rescheduled for a future date.

**(AQW 50501/11-16)**

**Mr Storey:** Please see attached table containing information as requested.

Date	Time	Event	Attendees	Status
15/09/15	15:15 – 16:00	Meeting with Minister Foster	Minister Foster DFP officials DSD officials	New meeting date 24/11/2015
	16:15 – 17:00	Meeting with Groundwork NI	Groundwork NI Chief Executive DSD officials	New date to be arranged

Date	Time	Event	Attendees	Status
16/09/15	10:00 – 11:30	Ministerial Sub-Committee on Children and Young People		Meeting cancelled.
21/09/15	14:15 – 15:00	Meeting with Tourism NI Official	Tourism NI official DSD officials	New date to be arranged
	15:15 – 16:00	Meeting with Prince's Trust NI	Prince's Trust NI official	New meeting date 18/11/2015
	16:15 – 17:00	Meeting with UU Professor	Professor from UU DSD officials	Cancelled
22/09/15	14:15 – 15:00	Meeting with Big Lottery Fund	Big Lottery Fund NI representatives DSD officials	Cancelled
	15:15 – 16:00	Meeting Gracehill Ballymena representatives	Representatives of Gracehill restoration project DSD officials	New date to be arranged
24/09/15	16:30 – 17:30	Follow-up meeting Greater Shankill Children and Young People Zone	DE Minister DE officials DSD officials	DSD official attended
28/09/15	15:30 – 16:15	Meeting re Warm Home Scheme	Nigel Dodds MP Minister Bell DSD officials DETI officials	Cancelled
29/09/15	16:00 – 16:45	Meeting with NIHE Chair	NIHE Chair DSD Officials	DSD official hosted meeting
05/10/15	14:15 – 15:00	Meeting with NI Advice Services Consortium		DSD official to attend re-arranged meeting
06/10/15	09:30 – 10:15	Meeting with Development Trust NI		DSD official hosted meeting
	14:00 – 14:45	Meeting with NICEM	NICEM reps	New date 18/11/2015
12/10/15	14:15 – 15:00	Meeting with Skainos	Skainos representatives DSD officials	New date 14/12/2015
13/10/15	09:30 – 10:15	Meeting with Atlantic Youth Trust officials	Atlantic Trust representatives DSD officials	Meeting held 10/11/2015
20/10/15	09:30 – 10:15	Meeting with NIHE officials	NIHE officials DSD officials	Meeting held 2/11/2015
	15:30 – 17:00	Fifth meeting of the Partnership Panel	Ministers Officials from various departments	DSD Official attended

**Ms Hanna** asked the Minister for Social Development to outline any surveys or studies her Department has undertaken to establish the extent of negative equity among local home owners.

**(AQO 9073/11-16)**

**Mr Storey:** As your question relates to the work of the Housing Repossessions Taskforce, Minister Foster has forwarded your query to my Department. The Housing Repossessions Taskforce was established at the start of 2014 to investigate the impact of mortgage repayment arrears, repossessions and negative equity in Northern Ireland. Membership included representation from the advice sector, lenders, private landlords, professional bodies and the statutory sector. The work of the Taskforce

was completed in two phases: the first phase produced an initial evidence paper on the mortgage debt landscape in Northern Ireland which was published in July 2014; the second phase used this evidence base to produce a suite of recommendations which was published in February 2015.

For your reference links to the Taskforce Initial Evidence Paper and Final Report are provided below:

- <https://www.dsdni.gov.uk/publications/housing-repossessions-taskforce-initial-evidence-paper>
- <https://www.dsdni.gov.uk/publications/housing-repossessions-taskforce-final-report>

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**Ms Lo** asked the Minister for Social Development whether he has any plans to amend the Tenancy Deposit Scheme regulations so tenants can report failure to comply after the first six months of the tenancy, given that most deposit disputes occur at the end of the tenancy.

**(AQW 50613/11-16)**

**Mr Storey:** The Tenancy Deposit Scheme which was introduced in April 2013 requires private landlords to protect tenancy deposits within 14 days of receiving the deposit and inform the tenant where and how the deposit has been protected within 28 days. Tenants who do not receive this information should report the landlord immediately and not wait until the end of the tenancy.

An advertising campaign including TV, press, bus sides, street liners and online advertising is currently taking place. The material informs landlords and agents of the legal requirement to protect deposits in an approved scheme and urges private tenants to report their landlord to their Council as soon as possible after the 28 day deadline. This would allow Councils to take appropriate enforcement action.

**Mr Dallat** asked the Minister for Social Development whether he has any plans to change legislation to allow junior discos and other non-alcoholic social events to take place in hotels and licensed premises where trained staff are available to deal with child protection, health and safety and other services, that are not available elsewhere.

**(AQW 50624/11-16)**

**Mr Storey:** Following a consultation in November 2012 on the reform of liquor licensing legislation in Northern Ireland, the Executive agreed to the drafting of a Bill which includes a measure to allow certain licensed premises, including hotels, to run underage functions provided adequate safeguards are in place.

I am considering the draft Bill and will announce how I plan to proceed in due course

**Mr Easton** asked the Minister for Social Development for an update on the Saville Report on Northern Ireland Housing Executive Properties.

**(AQW 50642/11-16)**

**Mr Storey:** The work undertaken by Savills in 2014/15, which was commissioned jointly by the Northern Ireland Housing Executive (NIHE) and my Department, was a large and complex Asset Management Commission and it has delivered a number of consultancy outputs - one of which is a survey appraising the condition of the Northern Ireland Housing Executive (NIHE) stock. The Commission has now practically completed and my Department, along with NIHE, is currently planning the publication of the findings of the entire Commission.

**Mr Swann** asked the Minister for Social Development what steps he is taking to extend the Women's Centre Childcare Fund post March 2016.

**(AQW 50676/11-16)**

**Mr Storey:** I have indicated that, in the context of the OFMDFM Childcare Strategy, this will be the last year of funding under the Women's Centre Childcare Fund.

**Mr Swann** asked the Minister for Social Development for his assessment of the work supported by the Women's Centre Childcare Fund.

**(AQW 50677/11-16)**

**Mr Storey:** The Department recently commissioned an evaluation of the Women's Centre Childcare Fund, which has been an emergency measure since 2008. The evaluation concluded that the programme provided a wide range of positive impacts, both in relation to the development and well-being of children and also in supporting parents to access services and opportunities.

**Mr Cree** asked the Minister for Social Development to detail the number of properties owned by the Northern Ireland Housing Executive in North Down that have (a) one bedroom; (b) two bedrooms; and (iii) three bedrooms.

**(AQW 50704/11-16)**

**Mr Storey:** The table attached details the number of (a) one bedroom; (b) two bedroom and (iii) three bedroom properties owned by the Housing Executive in North Down.

Total no. of bedrooms	Total no. of properties
1	498
2	1,333
3	1,228

**Mr Flanagan** asked the Minister for Social Development whether he has any immediate plans to amend the Licensing (NI) Order 1996 to remove the prohibition of young people being in licensed premises.

(AQW 50774/11-16)

**Mr Storey:** The Licensing (Northern Ireland) Order 1996 (the '96 Order) provides that young people under 18 years of age are only allowed in the "bar area" of licensed premises up to 9.00pm where the court has granted a Children's Certificate to the relevant premises and certain safeguards are in place.

Following a consultation in November 2012 on the reform of liquor licensing legislation in Northern Ireland, the Executive agreed to the drafting of a Liquor Licensing Bill which includes amendments to the '96 Order in relation to young people under 18 years of age in licensed premises.

Provided adequate safeguards are in place licence holders would no longer be required to apply for a Children's Certificate to allow young people in their premises until 9.00pm and certain licensed premises, including hotels, would be allowed to run non alcohol underage functions after 9.00pm.

I am considering the draft Bill and will announce how I plan to proceed in due course.

**Mr Allister** asked the Minister for Social Development for his assessment of use of his Department's funds to support the Outburst Queer Arts Festival in Belfast in staging The Gospel According to Jesus Queen of Heaven.

(AQW 50864/11-16)

**Mr Storey:** The Outburst Arts Festival made an application for funding from the Belfast City Centre Event Grant Scheme for a festival that is running from the 13 – 21 November 2015 with events taking place in various venues across the City. The application was assessed by Departmental officials against set criteria and an offer of funding was made. The grant was not specific to any particular event within the festival programme.

**Mr Allister** asked the Minister for Social Development (i) what funding his Department and its arm's-length bodies have provided to Outburst Queer Arts Festival; (ii) to outline the purpose of such funding; and (iii) what funding went towards the staging of The Gospel According to Jesus Queen of Heaven.

(AQW 50866/11-16)

**Mr Storey:** In response to the three questions you raised in relation to the Outburst Queer Arts Festival I would advise as follows:

- (i) My Department has provided grant funding of £3.5k towards the cost of the 2015 festival.
- (ii) This grant was a contribution towards the overall costs for venue hire and artists fees for the festival.
- (iii) This grant was not offered for any specific event within the festival programme.

**Mr McNarry** asked the Minister for Social Development to detail how much has been paid in all benefits to non-UK and Republic of Ireland citizens in each of the last three years, broken down by benefit type.

(AQW 50880/11-16)

**Mr Storey:** The table below details the amounts of Social Security Agency benefits paid to non-UK Nationals for the previous three financial years. Figures are rounded to the nearest £1000.

	Benefit Payments to Non-UK and ROI Citizens 2012-2013 (000's)	Total Benefit 2012-2013 (000's)	Percentage of Payments	Benefit Payments to Non-UK and ROI Citizens 2013-2014 (000's)	Total Benefit 2013-2014 (000's)	Percentage of Payments	Benefit Payments to Non-UK and ROI Citizens 2014-2015 (000's)	Total Benefit 2014-2015 (000's)	Percentage of Payments
Income Support (IS)	£6,470	£324,422	2.0	£4,977	£223,998	2.2	£4,557	£169,147	2.7



	Benefit Payments to Non-UK and ROI Citizens 2012-2013 (000's)	Total Benefit 2012-2013 (000's)	Percentage of Payments	Benefit Payments to Non-UK and ROI Citizens 2013-2014 (000's)	Total Benefit 2013-2014 (000's)	Percentage of Payments	Benefit Payments to Non-UK and ROI Citizens 2014-2015 (000's)	Total Benefit 2014-2015 (000's)	Percentage of Payments
Pension Credit (PC)	£2,963	£333,889	0.9	£3,397	£325,463	1.0	£3,889	£307,899	1.3
Jobseekers Allowance (JSA)	£12,546	£219,252	5.7	£14,358	£211,505	6.8	£12,693	£179,880	7.1
Employment Support Allowance (ESA)	£6,597	£298,125	2.2	£11,193	£528,693	2.1	£15,406	£734,317	2.1
Disability Living Allowance (DLA)	£8,906	£856,682	1.0	£10,210	£898,015	1.1	£12,002	£956,138	1.3
Attendance Allowance (AA)	£296	£203,169	0.1	£349	£201,625	0.2	£424	£205,325	0.2
Industrial Injuries Benefit (IIB)	£184	£29,494	0.6	£203	£29,748	0.7	£202	£30,067	0.7
Invalid Carers Allowance (CA)	£2,912	£123,588	2.4	£3,292	£132,652	2.5	£3,789	£141,764	2.7
Retirement Pension (RP)	£2,526	£1,905,861	0.1	£3,129	£1,982,796	0.2	£3,448	£2,072,728	0.2
Widows Benefits (WB)	£344	£21,435	1.6	£364	£20,998	1.7	£350	£20,347	1.7
Incapacity Benefit (IB)	£1,145	£197,479	0.6	£398	£73,731	0.5	£28	£1,986	1.4
Severe Disablement Allowance (SDA)	£198	£41,008	0.5	£200	£39,796	0.5	£51	£15,354	0.3
Maternity Allowance (MA)	£915	£11,396	8.0	£867	£11,873	7.3	£930	£12,164	7.6

**Mr Swann** asked the Minister for Social Development, pursuant to AQW 50676/11-16 and AQW 50677/11-16, whether he has requested that additional funding be made available under the Office and the First and deputy First Minister's Childcare Strategy to supplement the funding lost from the Women's Centre Childcare Fund.

**(AQW 50900/11-16)**

**Mr Storey:** I have shared the evaluation of the Women's Centre Childcare Fund with the Office of the First and deputy First Minister and requested that the matter is considered in the context of the Childcare Strategy. In addition my officials have been engaging with OFMdfM with a view to ensuring the provision of pre-school childcare under the Strategy.

**Mrs D Kelly** asked the Minister for Social Development how many staff are employed in the Child Maintenance Service (CMS); and what percentage of CMS staff have been made voluntary redundancy offers under the voluntary exit scheme.

**(AQW 50927/11-16)**

**Mr Storey:** There are 1112 permanent staff employed in Child Maintenance Service. It is important to note that not all CMS staff applied for the Northern Ireland Civil Service Voluntary Exit Scheme. To date, 25% of the CMS staff who applied for the Scheme, have received offers to exit.

**Mr Dallat** asked the Minister for Social Development, pursuant to AQW 50624/11-16, to provide a timeframe for the development of the draft Bill.

**(AQW 50986/11-16)**

**Mr Storey:** A Licensing and Registration of Clubs (Amendment) Bill has been drafted in line with the policy agreed by the Executive at its meeting on 8 July 2014.

I am still considering the content of the draft Bill and will announce how I plan to proceed in due course.

**Mr Agnew** asked the Minister for Social Development to detail how much has been paid for the discretionary fund for welfare in each of the last three years.

**(AQW 51087/11-16)**

**Mr Storey:** The information requested is set out in the Table below.

**Northern Ireland Discretionary Social Fund Expenditure**

	2012/13	2013/14	2014/15
Community Care Grants	£13.42m	£13.69m	£13.71m
Budgeting Loans	£52.31m	£53.69m	£53.96m
Crisis Loans	£14.50m	£14.45m	£13.57m
Total Expenditure	£80.23m	£81.83m	£81.24m

## Northern Ireland Assembly Commission

**Mr Ó Muilleoir** asked the Assembly Commission how many bids were received during the sale of Ormiston House.  
**(AQW 50253/11-16)**

**Mr Ramsey (The Representative of the Assembly Commission):** The sale of Ormiston House was a long and protracted process that was finally drawn to a conclusion by means of final sealed bids being tabled with our agent Lambert Smith Hampton (formerly BTW Shiels) in June 2014.

The following bids (in descending order) were received:

- Bid 1            £1,505,355.00
- Bid 2            £1,350,000.00
- Bid 3            £1,350,000.00
- Bid 4            £1,100,000.00

The sale was agreed with the highest bidder and the Memorandum of Sale was signed and completed on the 28th November 2014.

**Mr Ó Muilleoir** asked the Assembly Commission if Ormiston House was sold to the highest bidder.  
**(AQW 50255/11-16)**

**Mr Ramsey (The Representative of the Assembly Commission):** The sale of Ormiston House was a long and protracted process that was finally drawn to a conclusion by means of final sealed bids being tabled with our agent Lambert Smith Hampton (formerly BTW Shiels) in June 2014.

The following bids (in descending order) were received:

- Bid 1            £1,505,355.00
- Bid 2            £1,350,000.00
- Bid 3            £1,350,000.00
- Bid 4            £1,100,000.00

The sale was agreed with the highest bidder and the Memorandum of Sale was signed and completed on the 28th November 2014.

**Mr Ó Muilleoir** asked the Assembly Commission to detail the bids during the sale of Ormiston House.  
**(AQW 50256/11-16)**

**Mr Ramsey (The Representative of the Assembly Commission):** The sale of Ormiston House was a long and protracted process that was finally drawn to a conclusion by means of final sealed bids being tabled with our agent Lambert Smith Hampton (formerly BTW Shiels) in June 2014.

The following bids (in descending order) were received:

- Bid 1            £1,505,355.00
- Bid 2            £1,350,000.00
- Bid 3            £1,350,000.00
- Bid 4            £1,100,000.00

The sale was agreed with the highest bidder and the Memorandum of Sale was signed and completed on the 28th November 2014.



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# Northern Ireland Assembly

Friday 27 November 2015

## Written Answers to Questions

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

**Ms Sugden** asked the First Minister and deputy First Minister for an update on the proposed age legislation, including timescale, which will include provision for goods, facilities and services and protect against discrimination on the grounds of age.  
(AQW 36823/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Public consultation on policy proposals to extend age discrimination legislation to the provision of goods, facilities and services closed on 8 October 2015. The responses received during the consultation period are currently being analysed.

We will then consider the options available to us for bringing this legislation before the Assembly.

**Ms Sugden** asked the First Minister and deputy First Minister for an update on the proposals to extend age discrimination legislation to the provision of goods, facilities and services.  
(AQW 38575/11-15)

**Mr P Robinson and Mr M McGuinness:** Public consultation on policy proposals to extend age discrimination legislation to the provision of goods, facilities and services closed on 8 October 2015. The responses received during the consultation period are currently being analysed.

We will then consider the options available to us for bringing this legislation before the Assembly.

**Mr Rogers** asked the First Minister and deputy First Minister for an update on the Social Investment Fund, broken down by how much (i) has been spent; (ii) is committed to future spending; and (iii) remains unspent.  
(AQW 46690/11-15)

**Mr P Robinson and Mr M McGuinness:** Expenditure on the Social Investment Fund to date is just over £3.2million.

£58million of the overall programme is now committed to projects across the nine social investment zones.

This leaves £22m for projects continuing to be considered through the approvals process. Work on attaining business case approval for these is ongoing and it is hoped we will see significant progress in the next few months.

**Mrs Dobson** asked the First Minister and deputy First Minister how much of the £80 million Social Investment Fund budget was distributed by the end of the 2014-15 financial year.  
(AQO 8330/11-15)

**Mr P Robinson and Mr M McGuinness:** Committed expenditure on SIF is just over £58million; this is profiled over a number of years in line with proposals from the local zones. Spend in the Social Investment Fund in the financial year 2012/13 was £496,539; in 2013/14 it was £27,610; and in 2014/15 it was £897,348. This represents a total spend of £1,421,497 and includes consultancy support provided to Steering Groups in 2013 to develop their Area Plans.

We have minimised this type of spend to ensure maximum available spend for the actual projects.

**Mr Lyttle** asked the First Minister and deputy First Minister to detail the rationale behind declining to make the Gateway Reviews of the Social Investment Fund available to the Committee for the Office of First and deputy First Minister or the public.  
(AQW 47034/11-15)

**Mr P Robinson and Mr M McGuinness:** The SIF Gateway review process is a voluntary process which is designed to give full and frank advice in order to improve processes. The purpose is not for publication.

**Mr Nesbitt** asked the First Minister and deputy First Minister what progress has been made to meet the Programme for Government 11-15 commitment to fulfil obligations to reduce child poverty under the Child Poverty Act.  
(AQW 48377/11-16)



**Mr P Robinson and Mr M McGuinness:** The Child Poverty Act 2010 requires the Executive to publish a Child Poverty Strategy, prepare and publish annual reports on the Strategy and to formally review the Strategy every third year. The 2011-14 Child Poverty Strategy was published in March 2011, to date three Annual Reports have been published and a review of progress was completed in 2014 in consultation with departments. A revised Child Poverty Strategy has been developed, and is expected to go to the Executive shortly.

A new framework - Delivering Social Change – was launched in 2011 to oversee the delivery of the Executive's commitments under Priority 2 of the Programme for Government and considerable work has been undertaken to tackle child poverty. Delivering Social Change Signature Programmes were initiated in 2012 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.

The Executive's Annual Reports on child poverty, published on our Department's website, set out further work undertaken in greater detail.

In 2012, OFMDFM commissioned work to develop a joined up approach which would allow departments to better understand their role in reducing child poverty. This resulted in the publication of the Child Poverty Outcomes Framework in October 2013. It proposed the introduction of Outcomes Based Accountability as a method of planning and assessing performance. The proposed 2014-17 Child Poverty Strategy will adopt this approach.

**Mr Lyttle** asked the First Minister and deputy First Minister to outline what representations they have made to the UK Government with regards to the inclusion of Kincora Boys Home in the UK independent inquiry into Child Sex Abuse.  
(AQW 48511/11-16)

**Mr P Robinson and Mr M McGuinness:** On 30 September 2014 the Assembly unanimously agreed that allegations of cover up by intelligence services and MI5 relating to abuse in Kincora Boys' Home should be investigated by the Westminster independent inquiry. Naturally, we were disappointed by the Secretary of State's announcement that this was not to be the case.

We wrote to both the Secretary of State and the Home Secretary in February to reinforce our position and to express our disappointment about that decision.

It is too soon to be sure that the Inquiry into Historical Institutional Abuse here will find itself able to deal satisfactorily with allegations of cover up relating to Kincora Boys' Home. However, the Inquiry Chairperson has told us that he was satisfied with the assurances given by the Secretary of State of full co-operation with the HIA Inquiry.

A judicial review taken by a victim of child abuse at Kincora Boys' Home challenging the Government's decision to exclude the home from the Westminster child abuse inquiry was heard in Belfast's High Court in June. We await the judgment with interest.

**Mr Gardiner** asked the First Minister and deputy First Minister to detail the scale of each of the 2015/16 inescapable budgetary pressures faced by their Department.  
(AQW 48515/11-16)

**Mr P Robinson and Mr M McGuinness:** The Department's inescapable pressures identified to date are shown in the table below:

Description of pressure	Amount
Beijing Office/International Relations	£0.137m
Foreign Exchange Loss	£0.150m

The Department has put plans into place in 2015/16 to ensure all inescapable pressures can be met from within its existing budget allocations.

**Mr Agnew** asked the First Minister and deputy First Minister whether their Department have assessed the relevance of the poverty measures in the Child Poverty Act 2010.  
(AQW 48589/11-16)

**Mr P Robinson and Mr M McGuinness:** The measures to which you refer were established by the UK Government and were included in the Child Poverty Act 2010 to help reduce child poverty.

In July 2015, the Secretary of State for Work and Pensions and the Secretary of State for Education introduced Life Chances clauses in the new Welfare Reform and Work Bill which would remove the duty on the Secretary of State for Work and Pensions to meet the poverty measures and to enact a new approach to tackling child poverty for England.

The Government has indicated that each Devolved Administration can decide whether or not to propose amendments to the provisions in relation to their duties and statutory obligations. In line with Scotland and Wales we have not agreed the proposals and we are currently considering the potential impact. The Executive's approach to child poverty won't be determined by the Bill currently before Parliament.

**Mr Lunn** asked the First Minister and deputy First Minister what progress has been made on the creation of an Equality and Good Relations Commission as referenced in Together: Building a United Community; and (ii) to detail any plans to ensure its creation by May 2016.

**(AQW 48603/11-16)**

**Mr P Robinson and Mr M McGuinness:** The draft Bill to establish the Equality and Good Relations Commission is under active consideration within the Department. We are aware of the time pressures with regard to the enactment of the legislation before May 2016.

In advance of the enactment of legislation, departmental officials are working with both the Equality Commission and the Community Relations Council to consider the extent to which the aims and objectives of the 'Together: Building a United Community' Strategy can be delivered by these respective organisations within their existing vires and remits.

**Mr Lunn** asked the First Minister and deputy First Minister to detail the timescale for meeting all the targets in Together: Building a United Community.

**(AQW 48605/11-16)**

**Mr P Robinson and Mr M McGuinness:** Together: Building a United Community was published on 23 May 2013 and is the Executive's Strategy to improving community relations. It outlines how Government, communities and individuals will work together to build a united shared and reconciled community and achieve change against four key priorities; Our Children & Young People; Our Shared Community; Our Safe Community; and Our Cultural Expression. It contains a package of significant and strategic actions aimed at making these changes happen.

Implementation of the Strategy is being progressed with work ongoing to deliver the actions and commitments within the 10 year lifespan of the Strategy. OFMDFM continues to monitor progress of the Strategy's implementation and achievement of actions and commitments. Whilst OFMDFM leads on the implementation of the Strategy, delivery of the actions and commitments arising from it are being taken forward across a number of departments.

**Mr Middleton** asked the First Minister and deputy First Minister for an update on the Active Ageing Strategy.

**(AQW 48609/11-16)**

**Mr P Robinson and Mr M McGuinness:** The draft Active Ageing Strategy has been prepared following public consultation and advice from the Ageing Strategy Advisory Group. Once agreed by the Executive, the finalised Active Ageing Strategy will be published. A public consultation will then be launched on the indicators to be used to measure progress on the implementation of the Strategy.

**Ms Sugden** asked the First Minister and deputy First Minister for his assessment of the (i) Childcare Fund within the Delivering Social Change Framework; (ii) initial targets for this fund; and to date (iii) whether these targets have been met.

**(AQW 48653/11-16)**

**Mr P Robinson and Mr M McGuinness:** As part of the Programme for Government, we committed to publish and implement a Childcare Strategy with key actions to provide integrated and affordable childcare. In the 2011-2015 Budget, £12 million was ring-fenced to support the development of the Executive's Childcare Strategy. With the development of the first phase of the Strategy in 2013, it was agreed by the Childcare Strategy Programme Board that the £12 million fund would be used strategically to resource the Key First Actions. Of the £12 million childcare fund, £4.7 million has been allocated and £3.4 million spent. The balance will continue to be used to resource the Key First Actions of the Childcare Strategy.

The 15 Key First Actions were designed to meet the main areas of childcare need identified through research and consultation. The School Age Childcare Grant Scheme has been implemented from March 2014 and is the most ambitious action of the first phase of the Executive's Childcare Strategy. Its exact funding requirements depend upon the quality and quantity of the applications submitted and how current and future successful projects progress. The Scheme is ongoing having created or sustained 2,200 childcare places and a further call for grant applications is expected to be made in November 2015.

The Executive Childcare Fund is not the budget for the full Childcare Strategy. The budget for the Childcare Strategy will be determined on the basis of the final version of the Strategy, to be developed post consultation.

**Ms Sugden** asked the First Minister and deputy First Minister to detail (i) the time scale for the publication of the Active Ageing Strategy; and (ii) what communication they have had with Age Sector groups regarding progress to date.

**(AQW 48859/11-16)**

**Mr P Robinson and Mr M McGuinness:** Subject to Executive approval, the Active Ageing Strategy will be published as soon as possible.

We have had ongoing communication concerning the Strategy with the Ageing Strategy Advisory Group, which has representation from the Age Sector and was chaired by the former Commissioner for Older People for Northern Ireland.

**Mr Lunn** asked the First Minister and deputy First Minister for an update on Together: Building a United Community with specific reference to targets to be completed by 2015.

**(AQO 8672/11-16)**

**Mr P Robinson and Mr M McGuinness:** Together: Building a United Community was published on 23 May 2013 and is the Executive's strategy to improving community relations across our society. The Strategy outlines how Government, communities and individuals will work together to build a united shared and reconciled community and achieve change against four key priorities; Our Children & Young People; Our Shared Community; Our Safe Community; and Our Cultural Expression. The strategy contains a package of significant and strategic actions aimed at making these changes happen. Of these actions there were two that required completion by 2015:

- To review the Good Relations Indicators by the end of 2013.
- The delivery of the pilot of 100 Summer Camps by 2015.

The Good Relations Indicators have been reviewed and consulted upon and with the final set of Indicators receiving Ministerial approval in April 2015. The first report detailing baseline and historic statistics for the Good Relation Indicators was published on 22 September 2015.

We can confirm that 101 Summer Camps have been delivered and therefore the 2015 target has been met.

**Mr Swann** asked the First Minister and deputy First Minister how many of their departmental staff have a registered disability, broken down (i) by full time equivalent; and (ii) as a percentage of the workforce.

**(AQW 49370/11-16)**

**Mr P Robinson and Mr M McGuinness:** We refer the member to answer AQW 48642/11-16 which was provided on 30 October 2015.

**Ms Sugden** asked the First Minister and deputy First Minister (i) what mechanisms exist to link the Sub-Committees on Poverty and Social Inclusion and Children and Young People with the Pathways to Success Strategy; (ii) how these are operating in practice; and (iii) what steps have been taken to ensure that Pathways to Success forms a key part of the Delivering Social Change Programme.

**(AQW 49444/11-16)**

**Mr P Robinson and Mr M McGuinness:** Delivering Social Change is the Executive's framework to deliver a sustained reduction in poverty and associated issues across all ages and aims to provide an outline framework for future social policy interventions.

The Executive's Ministerial Sub-Committees on Poverty and Social Inclusion and Children and Young People lead on the Delivering Social Change programme of work. Both Sub-Committees meet once a year and there is also one joint meeting. The Ministerial Sub-Committees are supported by the Delivering Social Change Programme Board and the Delivering Social Change/Atlantic Philanthropies Programme Board.

The Department for Employment and Learning contributes fully to the work of Delivering Social Change and with regard to ministerial and programme board meetings on this matter, provides regular updates on its key activity in support of same, including appropriate updates and information concerning the Pathways to Success Strategy.

Pathways to Success is intended to provide the best chance for some of the most vulnerable young people in our society. The aim is to guide them towards playing a full role in the life of our community and economy, with the skills our region needs for the future.

The Community Family Support Programme, one of the Pathways interventions, reports monthly to the Early Intervention Transformation Programme's (EITP) Project Board which in turn reports to the Delivering Social Change /Atlantic Philanthropy Programme Board.

The EITP Programme is one of three Delivering Social Change Signature Programmes, announced by the then First Minister and deputy First Minister in September 2014, which are being jointly funded with Atlantic Philanthropies.

The Department for Employment and Learning has also been involved in chairing cross Departmental Groups to develop policy papers on issues such as low skills and disengaged youth.

**Mr Allen** asked the First Minister and deputy First Minister, pursuant to AQT 2925/11-16, to detail the source of those resources that have been identified for use in the second and third years of the Syrian Vulnerable Persons Relocation Scheme.

**(AQW 49490/11-16)**

**Mr P Robinson and Mr M McGuinness:** We refer the member to the answer given to AQW 49488/11-16.

**Mr Allen** asked the First Minister and deputy First Minister, pursuant to AQT 2925/11-16, in relation to the Syrian Vulnerable Persons Relocation Scheme, to detail what consideration has been given to the geographical location of any settlement.

**(AQW 49492/11-16)**

**Mr P Robinson and Mr M McGuinness:** Officials have begun significant preparatory work to ensure that we are in a position to respond effectively to the needs of those who might arrive under the Vulnerable Persons Relocation scheme. The operational details of how the scheme might work have not yet been finalised.

Any decision on locations will take into account the needs of the refugees and those of the receiving community.

**Mr McKinney** asked the First Minister and deputy First Minister for their assessment of the need for a mechanism to enforce the Ministerial Code of Conduct.

**(AQW 49642/11-16)**

**Mr P Robinson and Mr M McGuinness:** The Pledge of Office requires Ministers to comply with the Ministerial Code of Conduct. The Northern Ireland Act 1998 contains provisions allowing the Assembly to resolve on questions of whether a Minister has failed to observe any of the terms of the Pledge, and to impose the sanctions it considers appropriate. We therefore consider that a mechanism already exists for the enforcement of the Ministerial Code of Conduct.

**Ms Sugden** asked the First Minister and deputy First Minister to detail a timeframe for a public consultation on the updated Gender Equality Strategy.

**(AQW 49904/11-16)**

**Mr P Robinson and Mr M McGuinness:** It is envisaged that a twelve week public consultation period will be run in 2016.

As previously stated, the current Gender Equality Strategy 2006 – 2016 will remain in place until the new Strategy is developed and operational.

**Ms Sugden** asked the First Minister and deputy First Minister for an update on the publication of the Active Ageing Strategy.

**(AQW 49906/11-16)**

**Mr P Robinson and Mr M McGuinness:** The Active Ageing Strategy has been finalised and, subject to agreement by the Executive, will be published.

**Ms Sugden** asked the First Minister and deputy First Minister to detail any departmental targets on public appointments made to (i) people under 30; and (ii) women.

**(AQW 49931/11-16)**

**Mr P Robinson and Mr M McGuinness:** OFMDFM does not currently set public appointment targets for people under 30 or for women.

Data on appointments of people under 30 and women are collected and published annually by OFMDFM in the Public Bodies and Public Appointments Annual Report. The former Commissioner for Public Appointments made a recommendation in his 2014 diversity report that work should begin on establishing diversity targets. This recommendation is currently under consideration.

**Ms Sugden** asked the First Minister and deputy First Minister to detail (i) any projects that received money from the Central Good Relations Fund; (ii) which of these are rural projects and; (iii) whether all funding has been allocated until April 2016.

**(AQW 49932/11-16)**

**Mr P Robinson and Mr M McGuinness:** The table below details: groups that have received funding from the Central Good Relation Fund and indicates if the group is urban or rural.

Groups Allocated Funding	Rural/Urban
Basement Youth Club	Urban
Ballymac Friendship Trust	Urban
Belfast Orangefest	Urban
Brownlow House	Rural
Bryson An Munia Tober	Urban
Centre for Democracy and Peace Building	Urban
Charter for NI	Urban
Churchtown Community Association	Rural
Cinemagic	Urban
Coalisland Residents & Community Forum	Rural
Co-operation Ireland – Fair Change and Change Initiative	Urban

Groups Allocated Funding	Rural/Urban
Cookstown Community Allotments	Rural
Cookstown Youth Football Club	Rural
Craigavon Traveller Support Committee	Rural
Derry & District Youth Football Association Foyle Cup Committee	Urban
Fallen and Survivors Tales	Urban
Falls Community Council	Urban
Falls Women's Centre	Urban
Galliagh Womens Group	Urban
Gaslight Media Trust	Urban
Greater Dunmurry Positive Relations Partnership (GDPRP)	Urban
Greater Shantallow Community Arts	Urban
Greenisland Football Club	Rural
Holywell Trust	Urban
Intercomm	Urban
Lisburn PSP	Urban
Lower Ormeau Residents Association	Urban
Markethill Community Festival Committee	Rural
Midland Social Recreation	Urban
Northend United Youth FC	Rural
Playing for the Future	Urban
Rainbow Children's and Family Group	Urban
Royal British Legion – Cookstown	Rural
Somme Heritage	Rural
Seagoe Youth Group	Urban
Sport Changes Life	Urban
St Columbs Cathedral	Urban
Suffolk Lenadoon Interface Group	Urban
Teach Na Failte	Urban
Towards healing and Understanding	Urban
The Cathedral Youth Club	Urban
TIDES Training	Urban

There has been significant demand for 2015/16 Central Good Relations Funding. Funding is being released in phases and to date over £1.7 million has been approved and allocated to priority projects. We intend to release further funding soon and successful groups will be contacted when decisions have been made.

It should be noted that groups based in both rural and urban areas may have participants taking part in their projects from outside the area.

**Ms Sugden** asked the First Minister and deputy First Minister to detail (i) which groups have benefited from the Bright Start Childcare Scheme since 2014 in East Londonderry; and (ii) for an update on a third call for applications to this scheme, including whether funding has been ring-fenced for this.

**(AQW 49933/11-16)**

**Mr P Robinson and Mr M McGuinness:** Since 2014 the following the following childcare settings in East Londonderry Parliamentary Constituency have been funded under the Bright Start Childcare Scheme:



Group	Revenue (£)	Capital (£)
The Nest Out of School Club, Claudy	34,777	0
Burnfoot Playgroup, Dungiven	32,784	0
Dry Arch Childrens Centre, Dungiven	19,497	30,000
Gaelscoil Leim An Mhadaidh, Limavady	28,845	13,500
Apple Tree Childcare, Garvagh	11,764	30,000

To promote a further round of funding for the Bright Start Grant Scheme a series of eight events were held between 27 May and 12 June. It is now planned to open up the application process for funding again in November 2015.

In the 2011-2015 Budget, £12 million was ring-fenced to support the development of the Executive's Childcare Strategy. Of the £12 million childcare fund, £4.2 million has been spent to date. The balance will continue to be used to resource the Key First Actions of the Childcare Strategy, such as the Bright Start Grant Scheme.

**Mr Allister** asked the First Minister and deputy First Minister to detail the highest remuneration paid to an employee within their Department in 2014-15.

**(AQW 49944/11-16)**

**Mr P Robinson and Mr M McGuinness:** The highest remuneration paid to an employee within OFMDFM in 2014-15 was within the salary range £150k - £155k.

**Mr Allister** asked the First Minister and deputy First Minister why the First Legislative Counsel received pension benefits of £97,000 in 2014-15.

**(AQW 49945/11-16)**

**Mr P Robinson and Mr M McGuinness:** Northern Ireland Civil Service (NICS) pension benefits are determined by the terms and conditions of the NICS pension schemes. Pension entitlement is determined by a number of factors including: pensionable earnings; length of service; the terms of the pension scheme; age; and gender. The pension benefits of £97,000 due to the First Legislative Counsel were calculated in accordance with these factors and reflect additional payments for added years made by First Legislative Council.

**Mr Allister** asked the First Minister and deputy First Minister why the former Director of the Equality Directorate in their Department received pension benefits of £348,000 in 2014-15.

**(AQW 49946/11-16)**

**Mr P Robinson and Mr M McGuinness:** The former Director of Equality and Strategy did not receive pension benefits of £348,000 in 2014-15. The pension benefits figure as presented was negative £348,000. This negative figure was based on the former Director's current period of service in the NICS which began in 2009 and was calculated on the basis of a standard approach in presenting the pension benefits of senior officials in Departmental accounts.

**Mr Allister** asked the First Minister and deputy First Minister to detail all the inward visits from international government, political and diplomatic leaders in May 2014.

**(AQW 49947/11-16)**

**Mr P Robinson and Mr M McGuinness:** During May 2014, we and our Junior Ministers met with the Turkish Ambassador to the UK, HE Mr Unal Cevikoz; the Romanian Ambassador to the UK, HE Dr Ion Jinga; the Korean Ambassador to the UK, HE Sungham LIM and with the Ambassador of Palestine in Dublin, HE Ahmed Abdelrazek.

**Mr Allister** asked the First Minister and deputy First Minister to detail all the inward visits from international government, political and diplomatic leaders in (a) 2013-14; (b) 2014-15; and (c) 2015-16 to date.

**(AQW 49949/11-16)**

**Mr P Robinson and Mr M McGuinness:** The table below lists the formal diplomatic meetings with international visitors we and our Junior Ministers held since April 2013.

Month	Names
April 2013	Ukrainian Ambassador to the UK, Lebanon Ambassador to the UK and Yemen Minister to the Interior.
May 2013	Dutch Ambassador to the UK, The People's Republic of China Ambassador to the UK and Australian High Commissioner.

Month	Names
June 2013	Belgian Ambassador to the UK, Libyan Prime Minister, Italian Ambassador to the UK, Indian High Commissioner and Indian Minister of Commerce Industry and Textiles, Ambassador of Panama to the UK and Japanese Ambassador to the UK.
August 2013	Kurdistan Foreign Minister.
September 2013	United States Ambassador to the UK and Lithuanian Ambassador to the UK.
October 2013	Swiss Ambassador to the UK, Japanese Ambassador to the UK and Secretary General of the Kosovo Assembly.
November 2013	Polish Ambassador to the UK, Mongolian Ambassador to the UK and Cuban Ambassador to the UK.
December 2013	New Zealand High Commissioner.
January 2014	Finnish Ambassador to the UK.
February 2014	Japanese Ambassador to the UK.
March 2014	Spanish Ambassador to the UK, Singapore High Commissioner, President Bill Clinton and Croatian Ambassador to the UK.
May 2014	Ambassador of Palestine to Dublin, Romanian Ambassador to the UK, Turkish Ambassador to the UK and Korean Ambassador to the UK.
June 2014	Israeli Deputy Ambassador to the UK and Argentinean Ambassador to the UK.
September 2014	US Senate President.
October 2014	Swedish Ambassador to the UK and Scottish First Minister.
December 2014	Hungarian Ambassador to the UK and Latvian Ambassador to the UK.
February 2015	Indian High Commissioner, Latvian Ambassador to the UK and Turkish Ambassador to the UK.
March 2015	Mozambique High Commissioner and Canadian Deputy High Commissioner.
April 2015	Australian High Commissioner, Finnish Ambassador to the UK and Speaker of the New Zealand House of Representatives.
May 2015	Luxembourg Ambassador to the UK and Cyprus High Commissioner.
June 2015	Chilean Ambassador to the UK, Polish Ambassador to the UK and The People's Republic of China Foreign Minister.
July 2015	French Ambassador to the UK.

**Mrs Dobson** asked the First Minister and deputy First Minister to detail the (i) capital; and (ii) resource costs associated with digitisation and online services within their Department and its arm's-length bodies in each of the last three years.

**(AQW 50058/11-16)**

**Mr P Robinson and Mr M McGuinness:** The table below details the costs for OFMDFM and its arm's-length bodies (ALBs) in each of the last three financial years (2013/14, 2014/15 and 2015/16 to date).

OFMDFM	2013/14		2014/15		2015/16 (to date)	
	(i) Capital	(ii) Resources	(i) Capital	(ii) Resources	(i) Capital	(ii) Resources
Within Accounting Boundary	£374,628.13	£0.00	£247,450.00	£24,853.00	£0.00	£18,922.00
ALBs	£2,934.00	£95,232.66	£18,096.00	£103,064.01	£780.00	£31,700.73
<b>Totals</b>	<b>£377,562.13</b>	<b>£95,232.66</b>	<b>£265,546.00</b>	<b>£127,917.01</b>	<b>£780.00</b>	<b>£50,622.73</b>

**Notes:**

- (a) Internal staff costs for ongoing content management of websites and costs for shared services delivered by Department of Finance & Personnel (DFP) are excluded.
- (b) Costs include back office systems where information is pushed or pulled from a citizen facing website and for design & support for websites hosted outside the NICS.

(c) Entities included as "Within Accounting Boundary" for OFMDFM include:

- Office of the Attorney General for Northern Ireland
- Office of the Commissioner for Public Appointments for Northern Ireland
- Inquiry into Historical Institutional Abuse
- North South Ministerial Council Joint Secretariat (North)
- Planning Appeals Commission and Water Appeals Commission

**Mr Swann** asked the First Minister and deputy First Minister, in relation to legislation specific to Northern Ireland, to detail the difference in the definition of a child and the definition of a young person.

(AQW 50228/11-16)

**Mr P Robinson and Mr M McGuinness:** There is a wide range of legislation specific to Northern Ireland which relates to children and young people. Each piece of legislation will define the terms "child" or "young person" for the purpose of that Act or statutory provision. The definitions may therefore vary depending on the context or the scope of the legislation in question.

From an OFMDFM perspective, the term "children and young people" is an all encompassing term which describes people up to the age of 18 and in certain circumstances, where the young person has specific additional needs, to the age of 21. This is consistent with the Children (Northern Ireland) Order 1995 and legislation which underpins the role of the Commissioner for Children and Young People.

**Mr Agnew** asked the First Minister and deputy First Minister to detail all outstanding funding grants that are yet to be allocated by or through their Department; including (i) the amount set aside for the funding grant allocation; (ii) the closing date of each funding application; (iii) the number of applications that have been made for each funding grant; (iv) the initial date their Department indicated the funding would be allocated; and (v) the reason for any delays in allocating the funding.

(AQW 50244/11-16)

**Mr P Robinson and Mr M McGuinness:** The table below details the information requested.

Funding Scheme	Funding allocation	Closing date for applications	Applications received	Initial date funding to be allocated	Reason for delay
Central Good Relations Fund	£2,000,000	20 April 2015	182 *	Funding released in phases, no target date for allocation	N/A
Minority Ethnic Development Fund	£1,136,786	27 April 2015	92	27 March 2015	No Delay
Crisis Fund	£100,000	Will be 31 March 2016 fund not yet open	N/A	To be announced	N/A

\* Central Good Relations Fund small grant funding remains open for projects up to the value of £500 that can be delivered by 31 March 2016.

**Mr Wells** asked the First Minister and deputy First Minister to detail the total grant aid paid to each group through the Central Good Relations Funding Programme since its launch.

(AQW 50421/11-16)

**Mr P Robinson and Mr M McGuinness:** The information has been placed in the Assembly Library. This reflects the total grant paid to each group at 10 November 2015.

**Mr Ó hOisín** asked the First Minister and deputy First Minister to outline how departmental officials participated in the UN Committee on the Rights of Persons with Disabilities inquiry into disability rights violations when it met recently in Belfast.

(AQO 9023/11-16)

**Mr P Robinson and Mr M McGuinness:** All United Nations inquiry processes are confidential and that confidentiality should be respected.

However, our Department remains committed to fulfilling our obligations under the Convention on the Rights of Persons with Disabilities and we will continue to work to promote and protect the rights of people with disabilities. In addition, we will continue to co-operate with the UN in all respects and fully support the UN treaty monitoring mechanisms.

## Department of Agriculture and Rural Development

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, pursuant to AQW 48915/11-16, whether Brucellosis testing arrangements for cattle being exported to other regions of the United Kingdom will be relaxed.

**(AQW 50479/11-16)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** On 6 October 2015, the north of Ireland secured formal recognition of its Officially Brucellosis Free (OBF) status from the European Commission. This is excellent news and represents a major achievement for our cattle industry.

Now that we have attained OBF status, I hope to be able to introduce changes to pre-export tests to other Member States in the coming months.

My officials are also continuing to liaise with their counterparts in England, Scotland and Wales.

We always anticipated that changes to pre-export testing requirements would take a little longer. This is due to necessary APHIS changes and securing bilateral agreements for revisions to export licence documentation.

**Mr McNarry** asked the Minister of Agriculture and Rural Development how the Programme for Government 2011-16 could be reviewed and modified to better facilitate her Department.

**(AQW 50505/11-16)**

**Mrs O'Neill:** The Programme for Government (PfG) Commitments relating to my Department all remained valid throughout the 2011-16 period.

These were in respect of the eradication of Brucellosis in cattle; the implementation of a Strategic Plan for the Agri-Food Sector; a financial package to tackle rural poverty and social and economic isolation; the relocation of the Department's headquarters to rural areas; and the introduction of arrangements for the implementation of the new Common Agricultural Policy (CAP) and the commencement of payments under the new rules.

A review of the implementation of the current PfG is, however, being undertaken by OFMDFM to identify opportunities to support more effective delivery.

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development, given the reduction in the incidence of BSE, whether she is aware of any plans to revise the EU regulations governing cattle aged over 30 weeks and the mechanical removal of meat from the bone.

**(AQW 50526/11-16)**

**Mrs O'Neill:** The requirement for BSE testing of healthy cattle slaughtered for human consumption has gradually reduced since November 2005 when cattle aged over thirty months and born on or after 1 August 1996 were allowed back into the food chain subject to BSE testing.

From 1 March 2013, the requirement to BSE test healthy cattle slaughtered for human consumption within the EU 25 Member States ended.

There are no proposals from the European Commission to revise EU legislation on the mechanical separation of meat from bones.

**Lord Morrow** asked the Minister of Agriculture and Rural Development, pursuant to AQW 50191/11-16, what action her Department has taken since 2013 to address these figures, particularly but not exclusively in respect of cattle entering the human food chain which were not ready for slaughter or that had been treated with prohibited chemicals.

**(AQW 50551/11-16)**

**Mrs O'Neill:** Responsibility for tackling rural crime (including the theft of livestock) lies primarily with the PSNI. DARD's Veterinary Service Enforcement Branch assists and advises the PSNI regularly on this issue.

Veterinary Service represents DARD on the steering group of a dedicated Rural Crime Unit which was set up by the PSNI. The Unit, jointly funded by the Department of Justice and NFU Mutual, is focusing on a range of issues from the identification of trends and patterns to the delivery of targeted initiatives. This multi-agency approach has led to the recovery of stolen animals and successful prosecutions in the north and the south. Veterinary Service Enforcement Branch assists particularly with the detection, tracing, recovery and identification of stolen livestock and has been using sophisticated DNA profiling techniques to verify the ownership of recovered animals.

My Department's responsibility in slaughterhouses, on behalf of the Food Standards Agency, is to inspect, verify, audit the Food Business Operator's (FBO's) food safety controls and to take appropriate enforcement action to secure compliance where the FBO's controls do not satisfy food hygiene legislation. This includes inspecting all cattle ante mortem and post mortem.

Specifically in the case of cattle identity checks, the Department conducts verification of 10% of cattle identities by reference to the accompanying movement documents and APHIS records. Cattle whose identity cannot reasonably be ascertained are excluded from the food chain by the FBO.

In the case of prohibited substances, the Department considers any veterinary medical treatments disclosed accompanying documents and any indication from the appearance of the animal or its carcass as part of the inspection process. Suspect animals or carcasses are sampled and detained pending the results of laboratory analysis. Cattle which test positive for prohibited substances or licensed substances in excess of the maximum residue limit, are excluded from the food chain.

The Department also undertakes drug residue surveillance through a regime of targeted risk and random sampling of carcasses. All positive findings are traced back to farm of origin and investigated by DARD officers.

**Mr Swann** asked the Minister of Agriculture and Rural Development whether her Department has made any assessment of the effect the fishing operation undertaken by the Mv Margiris will have on fish stocks available to the Northern Ireland fishing fleet. (AQW 50563/11-16)

**Mrs O'Neill:** My Department has not made any assessment of the effect of fishing operations carried out by the Margiris. This is a Lithuanian registered vessel which fishes for pelagic species. It is currently operating off the west coast of Ireland outside the jurisdiction of my Department. The vessel has no fishing opportunities in waters where our fleet operates.

**Ms Sugden** asked the Minister of Agriculture and Rural Development to outline (i) the process for appointing the Agri-Food Strategy Board; (ii) the independence of the Board collectively; and (iii) the independence of individual members of the Board to fulfil the role.

(AQW 50589/11-16)

**Mrs O'Neill:**

- (i) The Chair and industry members of the Agri-Food Strategy Board (AFSB) were appointed on merit following an open competition conducted in accordance with the spirit of the CPANI Code of Practice. This included the presence on the assessment panel of a CPANI affiliated independent Panel Member. The criteria used to appoint members were as follows:

- A proven track record of contributing successfully at Board level to the strategic direction of a complex organisation;
- A proven ability to work at a strategic level with stakeholders from different perspectives to agree a common strategy and evaluate and monitor progress against agreed targets; and
- A good knowledge of the issues facing the local economy and a good understanding of the strategic issues facing the local agri-food industry.

I made the appointments jointly with the DETI Minister.

In line with the CPANI guidance, a public appointee may be reappointed for a second term subject to evidence of effective performance, continued adherence to the principles of public life, and a willingness to continue in post. The AFSB Chair and members were reappointed for a further 2 year term until 19 February 2017.

There are also 4 ex-officio members of the Agri Food Strategy Board, appointed as representatives of DARD, DETI, and Invest NI.

- (ii) The Chair and industry Members were appointed on the basis of their skills and experience to develop a strategic plan for the agri-food sector, rather than to ensure that specific sectors, or elements of the supply chain were represented. They act independently from the Departments.
- (iii) As part of the appointment process Members committed to uphold the seven principles of public life as defined by the Committee on Standards in Public Life, which commit to independence through selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Members also committed to disclose all actual or potential conflicts of interest to DARD or DETI as they arise. DETI/Invest NI and DARD's internal procedures to deal with such issues are sufficiently robust to guard against any actual, potential or perceived conflict in relation to any of the industry members.

**Mr McKay** asked the Minister of Agriculture and Rural Development what actions her Department has taken to improve uptake of the cycle to work scheme. (AQW 50593/11-16)

**Mrs O'Neill:** The Cycle to Work Scheme is now an established NICS wide scheme and continues as an open ended scheme which has been available to all Civil Servants since February 2013.

The scheme was fully advertised at its launch and further promoted to all staff through features in an NICS wide publication and through the HR Connect website. Ongoing promotion at NICS level is not carried out as the scheme has become well established across the NICS, including the Department of Agriculture & Rural Development.

My Department has not undertaken any additional promotion of the Cycle to Work Scheme over and above that carried out centrally by the Department of Finance and Personnel (DFP).



**Mr Ó hOisín** asked the Minister of Agriculture and Rural Development when Binevenagh Forest will be open for recreational pursuits.

**(AQW 50633/11-16)**

**Mrs O'Neill:** Binevenagh forest already delivers significant recreational and social benefits and is popular for many outdoor activities such as leisure walking, hill running, cycling and organised mountain bike events.

The potential exists for further development particularly through working with other recreational and tourism providers and my officials in Forest Service will be pleased to discuss working in partnership with recreation providers who wish to develop additional outdoor recreational facilities at Binevenagh Forest.

**Lord Morrow** asked the Minister of Agriculture and Rural Development, pursuant to AQW 50191/11-16, whether her Department meets costs or provides compensation in respect of stolen or missing cattle.

**(AQW 50660/11-16)**

**Mrs O'Neill:** My Department does not meet costs or provide compensation in respect of stolen or missing cattle.

**Ms Sugden** asked the Minister of Agriculture and Rural Development when the rural Business Investment Scheme (BIS) will open for applications; and how her Department is disseminating information on the rural BIS to potential applicants.

**(AQW 50680/11-16)**

**Mrs O'Neill:** Local Action Groups (LAGs) are currently developing their Local Development Strategies which are to be submitted to DARD by 31st December 2015. Once the strategies have been approved and contracts are in place the LAGs will be able to open calls, hopefully early in the new year.

It is the responsibility of the LAGs to hold funding workshops, this is the first stage of opening for applications. At these events LAGs will advise potential applicants on eligibility and the pre application documentation that they need before applying for funding, such as a business plan. Funding workshops will be advertised by the LAGs using local press, media, social media and any business and community networks. Once workshops are complete in a LAG area the LAG will advertise that it is open to receive online applications. My Department will also provide information on calls for applications through the DARD website and the LEADER facebook page.

**Ms Sugden** asked the Minister of Agriculture and Rural Development for her Department's definition of a rural village, including the maximum population size and proximity to an urban centre.

**(AQW 50681/11-16)**

**Mrs O'Neill:** For the purposes of the NIRD, rural areas are defined as all those areas identified outside the statutory development limits of those towns and settlements with a population in excess of 5,000 inhabitants. To allow for a more flexible approach my Department does not apply any further definitions below 5,000. This can be further defined by Local Action Groups if they wish, however they must provide a rationale within their Local Rural Development Strategy to support this. Where the thirty miles per speed limit starts is used to define where the boundary of any settlement starts.

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail her monitoring round bid of £2.0m to deliver essential ICT support developments required for Common Agricultural Plan Reform, including the Environmental Farming Scheme and Geo-Spatial Development; and how the success of this bid would benefit farmers.

**(AQW 50717/11-16)**

**Mrs O'Neill:** This bid is for the delivery of essential ICT to support developments required for CAP Reform. The bid will be used for the design and development of ICT systems to support 2016 area based scheme claims, including Agri-environment schemes. DARD must put in place a Geo-Spatial Aid Application (GSAA) to meet mandatory EU uptake targets. This will improve the 2016 application process and reduce the risk of non-compliance.

The success of this bid would help ensure that farmers' 2016 payments are made in a timely manner and that essential claim functionality is in place.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 49704/11-16, how education and training programmes to improve efficiency and increase resilience to market volatility are being made available by her Department; and how many of the 157 dairy type farms in East Londonderry have engaged with this type of programme.

**(AQW 50744/11-16)**

**Mrs O'Neill:** My Department, through the College of Agriculture, Food and Rural Enterprise (CAFRE), offers a range of training and education programmes to all dairy farmers in East Derry. In the current year, in recognition of the issues facing dairy farms as a result of the low milk prices, a series of on-farm workshops and technical meetings have been organised by CAFRE. The focus has been on feed efficiency and finance as well as the importance of financial planning and cashflow management. All of the dairy farmers in the area received an invitation to attend one of the training events. I can confirm 38 farmers from East Derry took up the offer this year and 54 dairy farmers attended training last year.

From 1 April 2015 to 17 November 2015, 19 dairy farm businesses have completed full financial benchmarking, and CAFRE is working with a further 16 dairy businesses that have either started, or are interested in starting, the benchmarking process. CAFRE advisers are dealing with a range of technical and business queries on an on-going basis including budgeting, farm cashflow, winter feeding and dairy cow fertility. A number of the farms are receiving one to one assistance from their adviser.

Knowledge transfer through Business Development Groups (BDGs) is a new training programme which is funded through the 2014-2020 Rural Development Programme. It will recruit up to 3000 like-minded farmers in group sizes of 15-20, and it aims to improve technical efficiency and business competence. I anticipate that the Groups will consider the systems of milk production which will deliver long-term sustainability for the farm family and improve resilience to price volatility. I would encourage all the dairy farmers from East Derry to apply to this Programme.

**Ms Sugden** asked the Minister of Agriculture and Rural Development for her assessment of farm diversification in the last five years; and how her Department is supporting farm businesses to diversify in order to increase resilience against income and market volatility.

**(AQW 50745/11-16)**

**Mrs O'Neill:** Under Axis 3 LEADER of the NIRD 2007-2013 some 605 farm diversification projects were funded, receiving almost £15.2m in grant aid. This when matched funding is taken into account resulted in a total investment in farm families and rural areas of £33.7m over the five years of the programme. This led to the creation of 389 new jobs in rural areas and 162 brand new businesses being set up.

Under the Priority 6 LEADER Measures of the NIRD 2014-2020, up to £27m will be available under the Rural Business Investment Scheme, to all rural businesses including farm families. This funding will allow for new non farming rural businesses to be setup or expanded, including farm diversification businesses. This investment has the potential to further increase the number of rural jobs, with a target of 700 being set within the programme. Having the funds under one scheme means there are greater potential funds available for farm diversification if the businesses come forward.

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 49045/11-16, for her assessment of the number of farmers under the age of 30; and how young people are being encouraged and supported to invest in agri-businesses to ensure the future sustainability of this sector.

**(AQW 50746/11-16)**

**Mrs O'Neill:** The last time data on age within the farm labour force was collected was under the EU Farm Structure Survey (FSS) in 2013. Age data was collected in bands and unfortunately the category of interest (under 30) did not coincide with the thresholds used in the survey. The closest available group was under 35, and at that time the number was in the region of 2235. However, CAP reform has moved things on since 2013, with more young people becoming farmers. This should be reflected in the numbers when the FSS is re-run in 2016.

Changes to the CAP in 2015 has seen the introduction of The Young Farmers' Payment (YFP), which provides assistance to young farmers establishing a business for the first time. Applicants must meet the eligibility conditions (which includes being under 40 years of age, having a Level II qualification and being Head of Holding ) to receive a top-up to their Basic Payment, which for 2015 equates to €81.28 per hectare. In addition, those eligible for the YFP can also apply to have the value of their Basic Payment entitlements valued at the regional average value. This will be favourable where they either have no entitlements or entitlements valued at less than the regional average.

The Farm Business Improvement Scheme (FBIS) will be an important part of our new Rural Development Programme 2014-20. I anticipate that it will include a portfolio of measures to support sustainable growth in the sector with the objectives to improve competitiveness and productivity in farming through increased efficiency, up-skilling on farm, farm modernisation and a commitment to working with supply chain partners to improve performance. It is important that young farmers take advantage of this programme of support in the years ahead.

**Mr McMullan** asked the Minister of Agriculture and Rural Development how many animal cruelty cases have been brought to court by each local council in the last available twelve months; and what was the outcome of each case.

**(AQW 50789/11-16)**

**Mrs O'Neill:** Local Councils are responsible for enforcing the Welfare of Animals Act 2011 in respect of non-farmed animals. Enforcement action available to Councils includes providing advice, issuing legally binding Improvement Notices or prosecution.

My Department does not hold the information you have requested, however I have sought input from the Animal Welfare Project Board which oversees enforcement of the Act by Councils.

Cases taken forward by Councils in the twelve months from April 2014 to March 2015 are summarised in table below. The information is based on the 26 Council structure.

**Animal Welfare Prosecutions taken by local Councils between 1 April 2014 and 31 March 2015**

<b>Council in which offence took place</b>	<b>No of cases by Council area</b>	<b>Section of the Act under which the offender was convicted</b>	<b>Sentence</b>
Antrim	2	Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	3 year ban from keeping animals. Owners fined £200.00 each. Costs £266.00
		Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	2 month prison sentence suspended for 2 years. 5 year ban from keeping animals. Costs £119.00
Ards	4	Section 9 Ensuring welfare of animals	Life time ban from keeping any animals. Fine £75.00 Costs £50.00
		Section 9 Ensuring welfare of animals Section 10 Improvement Notices	12 month conditional discharge. Fine £565.00 Costs £116.00
		Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	<b>Individual 1:</b> 12 month conditional discharge. 10 year ban from keeping animals. Costs £181.00 <b>Individual 2:</b> 4 year ban from keeping animals. Costs £181.00
		Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	12 month conditional discharge. 10 year ban from keeping animals. Costs £494.49
Armagh	1	Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	4 month prison sentence suspended for 2 years. Banned from owning, keeping or being in charge of animals for 5 years. Fine £182.00
Ballymena	2	Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	18 month conditional discharge. 3 year ban from keeping animals except for one dog. Fine £191.00
		Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	Lifetime ban from keeping dogs.
Belfast	4	Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	Fine £1,000.00 Costs £72.00
		Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	6 month prison sentence suspended for 2 years. 2 year ban from keeping animals.
		Section 9 Ensuring welfare of animals	Community Service Order made for 200 hours. Order granted to prevent defendant keeping dogs at properties. Costs £19,788.42
		Section 9 Ensuring welfare of animals	Fine £250.00 Costs £119.00

Council in which offence took place	No of cases by Council area	Section of the Act under which the offender was convicted	Sentence
Carrickfergus	1	Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	10 month imprisonment suspended for 2 years. 20 year ban from keeping animals. Costs £675.00
Coleraine	1	Section 4 Unnecessary Suffering Section 6 Docking of Dogs' Tails	Community Service Order for 160 hours. Banned from owning, keeping, participating or of the controlling of certain dog breeds. Costs £216.00
Down	1	Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals Section 14 Abandonment	2 year conditional discharge. Fine £400.00 Costs £2,919.67
Larne	1	Section 4 Unnecessary Suffering	2 year conditional discharge. 5 year ban from keeping all animals. Costs £119.00
Limavady	1	Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	4 month prison sentence suspended for 3 years. 10 year ban from keeping animals. Costs £150.00
Lisburn	3	Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	3 months prison sentence which was overturned on appeal. 5 year ban from keeping all animals. Costs £2,100.00
		Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	<b>Individual 1:</b> 4 month prison sentence suspended for 2 years. Banned for 5 years from keeping any animal which was overturned on appeal. Fine £851.90 Costs £3,374.37 <b>Individual 2:</b> 4 month prison sentence suspended for 2 years. 5 year ban from keeping any animal. Costs £1,006.00
		Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals 14 Abandonment	<b>Individual 1:</b> 1 month custodial sentence. 5 year ban from keeping any animal. Costs £740.17 <b>Individual 2:</b> 12 months probation. Deprivation Order for any current animals. 2 year ban from keeping any animal. Costs £739.00
Newry	3	Section 4 Unnecessary Suffering Section 9 Ensuring welfare of animals	5 year ban from keeping dogs. Fine £300.00 Costs £459.00
		Section 9 Ensuring welfare of animals	Fined £300.00 Costs £409.00

Council in which offence took place	No of cases by Council area	Section of the Act under which the offender was convicted	Sentence
		Section 4 Unnecessary Suffering	Community Service Order for 100 hours. Costs £383.10
Newtownabbey	1	Section 9 Ensuring welfare of animals 14 Abandonment	2 year conditional discharge. 3 year ban from keeping animals. Costs £666.00
North Down	1	Section 9 Ensuring welfare of animals Section 10 Improvement Notices	Fine: £150.00 Costs £132.00

**Mr McKay** asked the Minister of Agriculture and Rural Development to detail what additional cycling and cycle parking facilities have been provided (i) to departmental staff; and (ii) outside departmental buildings to increase the uptake of cycling. (AQW 50806/11-16)

**Mrs O'Neill:** To increase the uptake of cycling DARD has cycle parking facilities provided at AFBI Newforge, AFBI Stormont, CAFRE Greenmount Campus, CAFRE Loughry Campus and Belvoir Forest Park. New cycle parking facilities are also scheduled to be provided at the CAFRE Enniskillen Campus early 2016. All of these facilities are outside departmental buildings and are available for the use of departmental staff.

**Mr Rogers** asked the Minister of Agriculture and Rural Development for a breakdown of the gender balance on each of her Department's publicly appointed boards and arm's-length bodies. (AQW 50827/11-16)

**Mrs O'Neill:** A breakdown of the gender balance on each of my Department's publicly appointed boards and Arms Length Bodies is set out in the Table below.

Public Body	Females	Males
Non Departmental Public Bodies		
Agri-Food and Biosciences Institute	3	9
Agricultural Wages Board (Chair and Independent Members)	2	1
Drainage Council	3	10
Livestock and Meat Commission	1	5
NI Fishery Harbour Authority	1	6
Ad-Hoc Advisory Groups		
Agri-Food Strategy Board (sponsored jointly with DETI)	1	12
TB Strategic Partnership Group	1	6
<b>Total</b>	<b>12</b>	<b>49</b>

In order to improve female representation on these bodies a range of initiatives to encourage more women to apply for board positions has been introduced, including the examination of selection criteria to widen the pool of candidates and the promotion of public appointment opportunities with organisations representing women. In addition my officials will liaise with the Commissioner for Public Appointments on further actions to address female under – representation.

**Mr Weir** asked the Minister of Agriculture and Rural Development how many Single Farm Payment applications her Department has received in each of the last five years. (AQW 50842/11-16)

**Mrs O'Neill:** The number of Single Farm Payment (SFP) applications received in each of the last five years is set out in the table below:

Year	SFP applications
2010	38,489



Year	SFP applications
2011	38,200
2012	37,936
2013	37,643
2014	30,981

**Mr Hussey** asked the Minister of Agriculture and Rural Development what meetings she has had with the Department for Regional Development on the recent flooding in West Tyrone.

**(AQW 50967/11-16)**

**Mrs O'Neill:** DARD Rivers Agency is still in the investigation phase on flood recovery and officials from the Agency have had meetings and discussions with Transport NI officials from the Department for Regional Development on a number of issues relating to the recent flooding in West Tyrone.

Rivers Agency Western Regional Engineer was in discussion with an official from Transport NI Bridge Maintenance Section on Monday 16 November 2015 regarding the closure of bridges during flooding events in West Tyrone.

Rivers Agency officials had a site meeting at Clady Co. Tyrone on Tuesday 17 November 2015 with Transport NI officials in relation to actions required for the repair of the collapsed section of parapet wall at Clady Bridge.

Discussions have been held between the Rivers Agency Western Regional Engineer and a Maintenance Engineer from Transport NI on Wednesday 18 November 2015 in relation to a review of the Flood Risk assessment for the Park & Share car park at Crevenagh Road, Omagh which is situated on the floodplain of the Drumragh River.

Rivers Agency's Western Regional Engineer took part in a Conference call on Wednesday 18 November 2015 with the Emergency Planning Officer of Fermanagh & Omagh District Council and other members of the Western Emergency Preparedness Group (WEPG) relating to the response and recovery phase of the flood event. Transport NI officials also participated.

A meeting of the WEPG is scheduled for 2 December 2015 and a discussion and debrief on the effectiveness of the emergency response and recovery will be on the agenda. Transport NI is represented at this group.

Rivers Agency officials will continue to liaise with DRD officials as investigations continue into the recent flooding in West Tyrone.

**Mr McKay** asked the Minister of Agriculture and Rural Development what works have been carried out, and what works are proposed, by Rivers Agency to address the flooding risk at Townhill Court, Portglenone.

**(AQW 50969/11-16)**

**Mrs O'Neill:** There are no designated watercourses in the vicinity of Townhill Court, Portglenone, therefore Rivers Agency has no maintenance remit under the Drainage (NI) Order 1973 in relation to this location. Agency staff responded to flooding incidents on several occasions and provided sand bags to alleviate the impact of flooding on residents. Following flooding in 2012, Agency staff carried out post-flood investigations and concluded that the likely cause of flooding in this area is overland flows generated from the nearby grasslands and carriageways. Agency staff also contacted NEELB regarding the gullies within the grounds of Portglenone Primary School as their lack of maintenance may be a contributory factor. I understand Agency staff have arranged a site meeting for Wednesday 25 November 2015 to discuss the matter with you directly. I hope you find this meeting useful.

**Mr Swann** asked the Minister of Agriculture and Rural Development when Countryside Management payments will be made.

**(AQW 50973/11-16)**

**Mrs O'Neill:** Countryside Management Scheme payments have been made throughout 2015. My response to AQW 50974/11-16 provides additional detail on this.

Following routine upgrading of the payments processing system, my Department is currently processing agri-environment payments as a high priority.

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the (i) percentage; (ii) number; and (iii) value of Countryside Management paid as of 13 November 2015.

**(AQW 50974/11-16)**

**Mrs O'Neill:** In the calendar year until 13 November 2015, agri-environment scheme payments had been made to 73% or 5,882 of businesses with either an Environmentally Sensitive Areas (ESA) Scheme or a Countryside Management Scheme (CMS) agreement, to a total value £10,753,884.00.

Claims for NI Countryside Management Scheme (NICMS) are initially made on the Single Application Form and relate to the calendar year in which the claim was made. Consequently, claims are paid in the calendar year following the initial claim. In the year until 13 November 2015, 98% or 1,406 claims for the 2014 NICMS claim year had been returned and paid to a value of £5,746,803.20.

**Mr Dunne** asked the Minister of Agriculture and Rural Development for an update on steps to improve farm safety for families and employees.

**(AQW 51029/11-16)**

**Mrs O'Neill:** I am committed to the safety of our farmers, their families and employees. My Department works closely with its partners in the Farm Safety Partnership with the aim of reducing farm accidents and fatalities.

Health and Safety is the remit of the Health and Safety Executive. My Department, as a Partner in the Farm Safety Partnership, in delivering its actions from the Partnership's action plan, for 2014 to 2017, will be including farm safety, as a key cross cutting component, in the delivery of the Rural Development Programme 2014-2020.

As part of the first phase of the Farm Business Improvement Scheme (FBIS) the Business Discussion Groups recently opened and farm safety discussions will be a requirement. In the Farm Family Key Skills element, farm safety will also be an individual key element of the knowledge transfer to farmers, their families and employees.

FarmSafeNet is currently available on-line providing FarmSAFE Awareness training 24/7 to all in the farming industry. It provides valuable information on farm safety. The Farm safety Partnership will also be launching the Make It Safer tool as part of FarmSafeNet. This will allow farmers to take that next step from awareness to assessing the dangers on their farms including making decisions and planning how they can make the farm safer for themselves, their family and employees.

I would encourage all farmers to avail of this training available on-line and also use the Make It Safer tool when it also becomes available over the coming weeks.

The Business Investment scheme (the capital element of FBIS) is being launched next year and farm safety will be a cross-cutting feature of the scheme.

While my Department, through its work in the Farm Safety Partnership, provides a framework of training, awareness and funding, only farmers can take the actions necessary to reduce the dangers on their farms and make it a safer environment for themselves, their families and employees.

**Mr Campbell** asked the Minister of Agriculture and Rural Development to outline any discussions she has had with local supermarkets in relation to local produce and the prices paid to suppliers.

**(AQO 9160/11-16)**

**Mrs O'Neill:** I have met with representatives of local supermarkets both formally and informally on a number of occasions. While the price suppliers receive for their produce is a commercial matter and is not within my remit, at each opportunity I highlight the need for a fair and equitable distribution of profits throughout the supply chain.

Most recently I met with representatives from the NI Retail Consortium (NIRC) and NI Independent Retailers Association (NIRTA) to discuss milk prices and other supply chain challenges. In addition, I have met with NIRC to discuss beef labelling in the context of mixed origin cattle, and written to retailers highlighting the difficulties faced by vegetable growers and packers.

A significant amount of local produce is sourced by supermarkets for both their stores here and further afield. In the near future I will be visiting two of the major retailers operating in the north, to discuss opportunities for increasing local sourcing, ways the supply chain can be improved, and initiatives to promote local foods during the Year of Food and Drink 2016. I will also use these opportunities to impress upon them the difficult trading conditions suppliers are facing at present and the need for an adequate financial reward to secure the sustainability of their businesses.

**Ms Sugden** asked the Minister of Agriculture and Rural Development to outline how her Department is supporting local agri-food businesses in pursuing new markets.

**(AQO 9159/11-16)**

**Mrs O'Neill:** I am committed to opening as many new export markets for our high quality agri-food produce as possible. I visited China for a third time this year to progress trade negotiations on a range of products. My officials visited the Philippines and South Africa for the same purpose. We have recently agreed terms to trade beef with Canada. We are preparing for a range of trade inspections in early 2016 with the aim of accessing both the Australian pork market as well as the US and Philippine beef markets.

Maintaining and improving our animal health status is also vital to securing trade opportunities. On 6 October 2015, the north of Ireland secured formal recognition of Officially Brucellosis Free (OBF) status from the European Commission. This is excellent news, representing a major achievement for our cattle industry and will allow us to continue to roll out progressive and proportionate reductions in our routine surveillance testing, generating savings for both industry and taxpayers.

We have a robust EU Commission approved TB eradication programme in place. This TB eradication programme continues to be a priority to ensure continued access to the export trade by our livestock and livestock products industry, which is worth over £1 billion per year. Looking ahead, I established the TB Strategic Partnership Group (TBSPG) last year to develop a long term TB eradication strategy and implementation action plan. The TBSPG has made significant progress, resulting with the completion of their interim report during the summer. I look forward to seeing the TBSPG final TB Eradication Strategy and Implementation Action Plan in due course.

My Department also sponsors the Regional Food Programme.

Finally, our Livestock and Meat Commission aims to increase red meat consumption in the domestic market.

**Ms Fearon** asked the Minister of Agriculture and Rural Development for an update on the timescales for the delivery of the most recent Rural Micro Capital Grant Programme.

**(AQO 9161/11-16)**

**Mrs O'Neill:** So far this year to date, one hundred and forty six rural community and voluntary groups, spanning a diverse range of interests have benefited from funding from the Rural Micro Capital Grant Programme. These micro grants of up to £1,500 have helped rural groups to improve and develop their facilities and assets, in turn contributing to improved community engagement within their local areas. We are now in the process of paying Phase One grant claims with the first of these being paid only six weeks from the issue of the last Letters of Offer.

The second phase of the Programme closed on 30 October and I am pleased that 316 rural groups have submitted applications for funding to deliver micro projects along the themes of modernisation, health and well being and ICT (Information and Communications Technology). The local Rural Support Networks, who are administering this programme on behalf of my department are currently processing these applications with the intention of issuing Letters of Offer during December. Claims for these second phase projects will be paid during early Spring of next year.

I anticipate that at least 320 rural community organisations will directly benefit from this Programme in its first year of running. I have seen and heard first hand from groups that, despite the value of individual grants being relatively low, the impact of these projects locally and collectively across the north is significant. The Rural Micro Capital Grant Programme is proving to be an extremely effective component of my departments Tackling Rural Poverty and Social Isolation Framework.

**Mr Beggs** asked the Minister of Agriculture and Rural Development to detail what action is being taken to remove the discrepancy between beef prices paid to local farmers compared to those to farmers in other parts of the United Kingdom. [R]  
**(AQO 9162/11-16)**

**Mrs O'Neill:** As you will be aware, the price paid to farmers by processors in the north is a commercial matter and outside the remit of my Department. However, I do understand the concerns of farmers who feel that they are not getting a fair price for their produce in comparison to their counterparts in Britain.

A 2013 Livestock and Meat Commission study examined the beef price differential. It identified transport costs to Britain, cheaper supply available from the south and seasonality of production - usually with an over-supply in the autumn as the main causes.

These factors are beyond DARD's control. My Department is therefore focussed on those areas where it can assist the local industry. For example, I have led significant efforts to agree voluntary all-island beef labelling solutions which would help address the issues around mixed origin cattle.

DARD is also focussed on enhancing our penetration of existing markets and developing new export opportunities. We have recently agreed terms to trade beef with Canada and are preparing for a range of trade inspections in early 2016 with the aim of accessing the US and Philippines beef markets. In addition, our largest ever Rural Development Programme proposes a range of measures to support improved skills, knowledge, cooperation and capital investment, through the Farm Business Improvement Scheme. We also provide support for education, research and knowledge transfer through the work at the College of Agriculture, Food and Rural Enterprise and the Agri-food Biosciences Institute.

Finally, I asked the Agri-Food Strategy Board to convene a Supply Chain Forum to bring together farmers, processors, retailers etc to address challenges and opportunities for all sectors. The Forum should provide an opportunity for the beef supply chain to work together to strengthen relationships and support a fair reward for all elements of the chain.

**Ms Ruane** asked the Minister of Agriculture and Rural Development to outline how her Department is delivering education and industry training to the agri-food industry's future generation of employees.

**(AQO 9169/11-16)**

**Mrs O'Neill:** My Department, through the College of Agriculture, Food and Rural Enterprise (CAFRE) delivers a number of higher and further education programmes for students wishing to enter employment in the agri-food industry. Education programmes are designed to develop the practical, technical and business management knowledge and skills of students and provide graduates for employment in the agri-food industry.

The education and training programmes at CAFRE encompass the disciplines of Agriculture, Food, Horticulture, Equine and Rural Enterprise. Course provision includes lectures and tutorials with hands-on practical sessions and a number of courses also offer industry placement. Enrolments remain high with 1800 students currently on full-time and part-time programmes.

In addition to the full-time and part-time education programmes, CAFRE also delivers a range of industry training programmes for those already employed in the agri-food industry. In 2014-15, CAFRE delivered industry training programmes to over 12,000 people. The industry training programmes are delivered to the agriculture, food, horticulture and equine sectors across the north. The programmes range from on-farm bespoke training events to nationally accredited courses.

**Mr Clarke** asked the Minister of Agriculture and Rural Development how many Single Farm Payments remain outstanding.  
(AQO 9170/11-16)

**Mrs O'Neill:** The Single Farm Payment scheme opened in 2005 and closed in 2014. Over £2.5 billion was paid to farmers in the north of Ireland during the lifetime of the scheme. Over 380,000 applications for payment were made over the ten years of the scheme and 906 currently remain outstanding. These claims remain outstanding due to circumstances outside my Department's control such as probate proceedings, disputes between farmers and farmers failing to provide bank account details to enable payment. My Department has written to all farmers concerned and will process payments as information is returned.

**Mr Lunn** asked the Minister of Agriculture and Rural Development to outline the action she has taken to ensure that the level of Basic Payments do not go below their current level.  
(AQO 9171/11-16)

**Mrs O'Neill:** The Basic Payment Scheme is a key priority for my Department and I have taken steps to ensure that the appropriate level of resources is devoted to processing applications for payment. The payment performance of my Department has improved significantly in recent years, reaching record levels. I recently announced that my Department will make payments in December to 95% of eligible claims. This year has brought significant challenges with the introduction of a set of new schemes though improvements continue to be made and I look forward to further improvements in the years ahead.

## Department of Culture, Arts and Leisure

**Mr McNarry** asked the Minister of Culture, Arts and Leisure how the Programme for Government 2011-16 could be reviewed and modified to better facilitate her Department.  
(AQW 50503/11-16)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** The Programme for Government (PfG) commitments relating to my Department all remained valid throughout the 2011-16 period.

These were as follows –

- Support 200 projects through the Creative Industries Innovation Fund
- Develop sports stadiums as agreed with the IFA, GAA and Ulster Rugby
- Host the World Police and Fire Games in 2013

A review of the implementation of the current PfG is being undertaken by OFMDFM to identify opportunities to support more effective delivery.

Any extended Programme for Government must continue to focus on tackling disadvantage and promoting social inclusion. This would support my Department in ensuring that culture, arts and leisure activities continue to promote equality, and tackle poverty and social exclusion. It would also assist in ongoing work to prioritise funding to ensure that where possible it is directed towards those who are most in need.

I would also hope that a new Programme for Government acknowledged the commitments given at St Andrews and would therefore prioritise the bringing forward of an Acht na Gaeilge – an Irish Language Act – in order to support the Irish Language and all those who speak it across the north.

**Mr Newton** asked the Minister of Culture, Arts and Leisure to detail the amount of funding her Department has allocated to sports clubs within the East Belfast constituency during the past financial year, broken down by sport.  
(AQW 50590/11-16)

**Ms Ní Chuilín:** In the financial year 2014/15, Sport NI, an arms length body of my Department, allocated £43,799 Lottery funding through the Active Awards for Sport programme to sports clubs within the East Belfast constituency as detailed at Annex A. This small grants programme is primarily aimed at grassroots community based sport.

In addition, my Department provided £570 to City of Belfast Boxing Academy in East Belfast through the Greater Village Regeneration Trust (GVRT). This payment was made in April 2015 under the Together Building a United Community cross community sports project that my Department leads on.

### Annex A

Organisation Name	Project Title	Project Type	Sport	Grant Amount
Braniel Mini Soccer Centre	Braniel Mini Soccer Coaching	Coaching Development	Association Football	£3,000
Cregagh Sports Club	Under 9-10s cricket practice equipment	Coaching Development	Multisport	£1,524

Organisation Name	Project Title	Project Type	Sport	Grant Amount
Glentoran Academy	Sport 4 All project	Coaching Development	Association Football	£6,172
Belfast Hussars Basketball Club	Belfast Hussars Juniors	Coaching Development	Basketball	£5,386
Dundela Football and Athletic Club	Dundela Youth Section Development	Coaching Development	Association Football	£4,972
St Matthew's Football Club	St Matthews Girls Football and Community Sports	Coaching Development	Association Football	£6,385
Bredagh Gaelic Athletic Club	Girls and Women into Games	Coaching Development	Gaelic Sports	£7,220
Belfast Water Sports Club	Aqua - psychotherapy	Coaching Development	Sub Aqua	£9,140
<b>Total</b>				<b>£43,799</b>

**Mr Newton** asked the Minister of Culture, Arts and Leisure what engagement her Department has had with sports clubs within the East Belfast constituency in the past year.

**(AQW 50591/11-16)**

**Ms Ní Chuilín:** In the financial year 2014/15, Sport NI, an arms length body of my Department, provided £43,799 Lottery funding through the Active Awards for Sport programme to sports clubs within the East Belfast constituency. This small grants programme is primarily aimed at grassroots community based sport.

In addition, Sport NI has engaged with various sports clubs within the East Belfast constituency through the delivery of its Active Communities and Active Clubs programmes. These programmes provided opportunities for club development, governance advice and support.

Sport NI is also currently working with 30 sports clubs in the East Belfast area who are at various stages in attaining their Clubmark Accreditation.

Furthermore, DCAL Officials have been working closely with the Belfast Giants and the Odyssey Trust on the delivery of legacy activities around the National Collegiate Athletic Association (NCAA) Festival of Ice Hockey (also known as 'Friendship Four'). The legacy activities include the Giants and students from the Boston Universities working with schools and clubs from the East Belfast constituency on educational and sporting initiatives.

**Mr McKay** asked the Minister of Culture, Arts and Leisure what actions her Department has taken to improve uptake of the cycle to work scheme.

**(AQW 50653/11-16)**

**Ms Ní Chuilín:** Work Scheme is established NICS wide and has been available all year round to Civil Servants since February 2013.

In DCAL, the scheme is advertised to staff through the Department's Staff Brief and will be featured in the next edition.

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 50028/11-16, whether the (i) formal investigation; and (ii) report has been completed; and when she expects these discussions to conclude.

**(AQW 50775/11-16)**

**Ms Ní Chuilín:**

- (i) The formal investigation into the elver mortalities at the ESB facilities at Ballyshannon in April 2014 has been completed;
- (ii) Discussions on the release of the report on the cause of the elver kill has been completed and I understand that it will be released to the public on the 1st December 2015.

**Mr McKay** asked the Minister of Culture, Arts and Leisure to detail what additional cycling and cycle parking facilities have been provided (i) to departmental staff; and (ii) outside departmental buildings to increase the uptake of cycling.

**(AQW 50808/11-16)**



**Ms Ní Chuilín:**

- (i) My Department introduced showers and separate changing rooms with lockers to Causeway Exchange when it moved to the building in 2011, with the specific aim of facilitating cyclists. There is also a secure storage room for cycles in the building.
- (ii) At the Public Record Office there are showers and lockers plus a storage yard for cycles. The Fisheries premises at Bushmills, Castlewellsan, Movinagher, Portadown and Riversdale do not have dedicated cycle amenities but do have plenty of storage areas where the parking of cycles is facilitated.

**Mr Rogers** asked the Minister of Culture, Arts and Leisure for a breakdown of the gender balance on each of her Department's publicly appointed boards and arm's-length bodies.

**(AQW 50828/11-16)**

**Ms Ní Chuilín:** A breakdown of the gender balance on the Department of Culture, Arts and Leisure's publicly appointed boards and arm's length bodies is detailed in the following table:

Body	Gender breakdown	
	Male	Female
Armagh Observatory and Planetarium (AOP) – Board of Governors	13	0
AOP – Management Committee	9	2
Arts Council NI	9	6
Libraries NI	10	7
National Museums NI	7	7
NI Museums Council	6	7
NI Screen	8	5
Sport NI	4	1

Some appointments to AOP's Board of Governors and Management Committee, and NI Museums Council's Board of Directors are not made via a public appointment process and are outside of my control.

In relation to AOP, I am responsible for appointing one individual onto its Board of Governors and six individuals onto its Management Committee, with other members representing organisations such as the Church of Ireland and Queens University, Belfast.

In relation to the NI Museums Council, I am responsible for appointing three individuals onto its Board of Directors, with other Directors representing organisations such as National Museums NI, local councils and local universities.

**Mr Allister** asked the Minister of Culture, Arts and Leisure (i) what funding her Department and its arm's-length bodies have provided to Outburst Queer Arts Festival; (ii) to outline the purpose of such funding; and (iii) what funding went towards the staging of The Gospel According to Jesus Queen of Heaven.

**(AQW 50865/11-16)**

**Ms Ní Chuilín:** The Arts Council has provided the following funding to Outburst Queer Arts Festival over the past three years:

Year	Amount £	Fund	Purpose
2015/16	40,000	Lottery Project Funding	To fund the annual multi-disciplinary arts festival, plus one-off events throughout the year and community programmes.
2014/15	35,500	Lottery Project Funding	
2014/15	10,000	Small Grants	To deliver a new piece of theatre (DAMAGE by PJ O'Reilly) at the 2014/15 festival.
2013/14	29,100	Lottery Project Funding	To fund the annual multi-disciplinary arts festival.
2013/14	3,769	Equipment	Purchase of video, IT and digital musical equipment to enhance project delivery.

In general terms, Arts Council Lottery Project and Small Grants funding is provided to assist organisations to deliver arts projects which contribute to the growth of arts in the community for new and existing audiences and which reflect the diversity of the north's society and culture. The purpose of the Equipment Programme is to enable organisations to purchase equipment or carry out refurbishments which will enhance their artistic services.

DCAL also provides funding to festivals through the local Council administered Community Festivals Fund (CFF). The following funding was awarded to Outburst Queer Arts Festival through Belfast City Council's CFF programme in the past three years. Please note that these figures represent the total amount awarded, which includes Council match funding.

Year	Amount £	Fund	Purpose
2015/16	*7,000	CFF	To fund the annual multi-disciplinary arts festival.
2014/15	5,400	CFF	
2013/14	8,018.70	CFF	

\* This is the amount allocated by Belfast City Council in their 2015/16 letter of offer and may differ from the final amount claimed by the organisation.

No funding was specifically allocated for named events within the 2015/16 Outburst Festival.

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 50028/11-16, (i) whether the formal investigation has been completed; (ii) whether the report has been completed; and (iii) when she expects these discussions to conclude.

**(AQW 50966/11-16)**

**Ms Ní Chuilín:**

- (i) The formal investigation into the incident has been completed.
- (ii) The report on the incident has been completed.
- (iii) Discussions on the contents of the report into the cause of the elver kill have concluded and as per my response to AQW 50775/11-16, I understand that the report will be made public on the 1st December 2015.

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 50742/11-16, to address part (i) of the original question.

**(AQW 51097/11-16)**

**Ms Ní Chuilín:** I was aware of the 2015 Féile an Phobail but not of this particular event in advance of its opening.

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 50742/11-16, whether she will launch an investigation into the breaches of the Equality of Opportunity and Good Relations Commitment, and further seek to recoup funds from the organisers.

**(AQW 51100/11-16)**

**Ms Ní Chuilín:** I have no plans to launch such an investigation.

The 'Remembering Quilt', which was on exhibition at St Mary's, is an important and moving way for families to express their grief and in some cases, the circumstances of the death of their loved ones.

As the opportunity to participate in the project was open to all who had lost a loved one due to the conflict, I see no breach of equality obligations or good relations commitments.

You may wish to see the full quilt on the Relatives for Justice site – web address below.

<http://relativesforjustice.com/services/remembering-quilt>

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 50742/11-16, whether she or any of her departmental officials received an invitation to this event; and if so (i) on what date was it received; and (ii) whether any officials attended.

**(AQW 51101/11-16)**

**Ms Ní Chuilín:** Neither myself in my capacity as Minister or any of my officials received an invitation to this event. No-one attended the event in an official capacity on behalf of DCAL.

**Ms Fearon** asked the Minister of Culture, Arts and Leisure for an update on the Framework for Sign Language.

**(AQO 9178/11-16)**

**Ms Ní Chuilín:** The Sign Language Roadmap Review process and my meeting with the mother of a Deaf child earlier this year highlighted shortcomings in the provision of, and access to, services for Deaf people and families with deaf children. Following that meeting I was determined to work to improve the lives of Deaf people and their families.

I have recently written to my Executive colleagues to advise them of my intention to bring forward an Executive paper outlining my Framework of policy proposals to support improvements in access to services for Deaf sign language users and their families.

This Framework will improve the lives of our Deaf citizens, including deaf children and their families. It will target resources at a community that experiences high levels of inequality and social exclusion. This community has long called for better access to public information and services and the Framework will place Sign Language at the heart of our efforts to improve lives.

Early years' intervention must be a priority to redress the academic under achievement and poor life outcomes experienced by previous generations of Deaf people. The provision of free British and Irish Sign Language classes for families with Deaf family members will enhance communication skills from an early age and promote social inclusion within the family as a starting point.

We are in the unique position of having two indigenous Sign Languages. This offers us an opportunity to develop our Irish Sign Language links with the south of Ireland such as those between our Deaf organisations. For example, the British Deaf Association and the Irish Deaf Society share common aims and membership of the World Federation of the Deaf. We can also share expertise and learn lessons such as the benefits that Deaf Village Ireland in Dublin brings to the Deaf community in the south.

Likewise, we can support our universities to develop closer links with for example, Trinity College Dublin in the south and with renowned British Sign Language seats of learning at University of Edinburgh and Lancaster University to develop Sign Language linguistic and cultural research and development.

The British Deaf Association make a valid point when they ask: Why must Sign Language users be the only linguistic minority which has to declare themselves as disabled to gain limited access to services in their language.

Let me be clear, there are no statutory protections for Sign Language. I want all members to join me in helping Sign Language users and the parents of deaf children to play a full, active and equal role in our society.

**Mr Weir** asked the Minister of Culture, Arts and Leisure for an update on initiatives to provide support to boxing clubs outside Belfast.

**(AQO 9177/11-16)**

**Ms Ní Chuilín:** My Department and Sport NI have been able to provide both practical and financial support to established boxing clubs across the north of Ireland, including to boxing clubs outside Belfast.

This has been achieved through Sport NI's Boxing Investment Programme, which will see Lottery funding of three point two seven million pounds invested across the sport. In addition, under the City of Culture Legacy Programme, my Department is investing a further one million pounds of exchequer funding for boxing in Derry.

The aims of the Boxing Investment Programme are to help the sport address the needs of boxing clubs around club development and sustainability, the provision of suitable facilities and the provision of boxing equipment. A Club Development Manager has worked with a large number of clubs to enable them to meet governance standards.

Ninety four clubs have received a range of boxing equipment valuing almost one hundred and seventy thousand pounds; and two point five million pounds has been allocated to take forward capital works for the premises of forty boxing clubs, twenty of which are based outside Belfast.

The one million pounds exchequer funding under the City of Culture legacy has so far delivered boxing equipment, valued at one hundred and twenty thousand pounds to Derry County Board and seven boxing clubs in Derry. The remainder of this funding will see three of these boxing clubs in Derry also benefiting from capital works to their premises.

I can also confirm that a further three boxing clubs, based outside Belfast, are set to benefit from phase one of Sport NI's Sports Facilities Lottery Fund.

My Department and Sport NI are also working with a number of other organisations to improve facilities for boxing clubs. This has secured partnership funding for a number of boxing club projects. For example, joint funding with Department of Social Development for St Joseph's Boxing Club in Derry and partnership funding with Newtownabbey Borough Council to refurbish Monkstown Boxing Club.

My officials are also working with officials from the Department of Social Development, Department of Education and local district councils to identify suitable premises for a number of boxing clubs and to provide support as required.

**Ms Sugden** asked the Minister of Culture, Arts and Leisure to outline the support her Department is providing to the arts sector, following the 8 per cent in-year reduction to the Arts Council's budget.

**(AQO 9183/11-16)**

**Ms Ní Chuilín:** I have agreed to meet with a number of arts organisations over the coming weeks and I met with members of the Board of the Arts Council, including the Chair, and members of the Executive to hear at first hand what the effect of this funding reduction is likely to be and what impact this would have on the sector's ability to deliver access to the arts for all.

I will continue promoting the benefits of the arts and trying to secure more funding, not only for the arts, but for all cultural services that deliver to our people.

I will also keep on doing what I can to broaden the access to and availability of arts and culture for everyone.

That is why I launched, yesterday, a consultation on a strategy for culture and arts. I hope this consultation will help me to make a resounding case for appropriate and sustainable funding for arts and culture as we move forward.

**Mr Ramsey** asked the Minister of Culture, Arts and Leisure what involvement she has when her Department's arm's-length bodies are setting their forward work plans.

**(AQO 9184/11-16)**

**Ms Ní Chuilín:** My Department's Arm's Length Bodies' forward work plans are contained in their annual business plans.

My Department works closely with all of its arm's length bodies during all stages of the business planning process. The planning process commences in the autumn of each year with a business planning meeting between the Departmental sponsor branch and the arm's length body. This meeting is also attended by my Department's Corporate Strategy Unit to ensure that key Departmental objectives – especially those relating to Promoting Equality, Tackling Poverty and Social Exclusion – are strongly reflected throughout the arm's length body's business plan. Each ALB then drafts its plan.

A final draft of the business plan is submitted for scrutiny. My Officials scrutinise the plan to ensure it:

- is of a high standard;
- covers the key elements of the business of the ALB;
- focuses on delivering key departmental objectives including Promoting Equality, Tackling Poverty, and Social Exclusion; and
- Contains SMART targets which are challenging and adequately resourced.

When my officials are content with the above, each plan is submitted to me for final review and approval.

When reviewing each plan, I look specifically for assurance that the ALB will deliver on its statutory functions and focus as much of its resources as possible to delivering front-line services and contributing significantly to my key objective of Promoting Equality, Tackling Poverty and Social Exclusion.

Where necessary I will request that an ALB amends its plan if, in my view, it needs to place more emphasis on delivery of particular Departmental objectives.

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure to outline the Arts Council's five year strategic plan for the arts which includes the potential development of a major regional art gallery.

**(AQO 9180/11-16)**

**Ms Ní Chuilín:** The Arts Council's Strategic Plan Ambitions for the Arts 2015-2018 is available in full on the Arts Council's website has three main themes:

- Champion the Arts;
- Promote Access; and
- Build a sustainable sector

A target in the plan, under the 'Champion the Arts' theme, was 'To undertake an economic appraisal for a Dedicated Gallery for the North of Ireland by 2014/15'. A draft appraisal has been prepared and the way forward is still under consideration.

**Mr Dunne** asked the Minister of Culture, Arts and Leisure for an update on the proposed redesign of Casement Park to comply with planning and safety regulations.

**(AQO 9181/11-16)**

**Ms Ní Chuilín:** There remains a strong resolve within the Ulster Council GAA to develop a regional stadium at Casement Park. I share that commitment.

Since the JR decision, the GAA have studied the judgement in order that the new planning application fully addresses and take into account the points raised in the judgment.

A significant amount of work has taken place in relation to the implementation of the lessons learned following the JR decision and also to implement the recommendations from the recent project assessment review (PAR). I am delighted that the PAR confirmed that the Casement Park project is achievable.

In line with the PAR recommendations, a new Independent Chair has recently been appointed to the Safety Technical Group (STG). The new Chair is currently holding a number of one to one meetings with all the STG members and the first full STG meeting has been convened for the end of November 2015. It is worth noting that all STG members have confirmed their commitment to actively participating to ensure a robust safety compliant stadium can be achieved.

A robust and detailed programme has being produced by the GAA which takes account of the major tasks associated with the successful delivery of the Casement Park Stadium. This includes the submission of a new planning application, traffic management arrangements and community engagement.

It is of course a matter for the GAA, but I would expect that a new planning application will be submitted by the end of June 2016.

**Ms Hanna** asked the Minister of Culture, Arts and Leisure what preparations her Department has undertaken to ensure that the arts will be adequately represented in the new Department of Communities.

**(AQO 9182/11-16)**

**Ms Ní Chuilín:** The Executive decisions on restructuring will result in the most extensive reorganisation of the departmental system since 1999.

The changes will involve a reduction in the number of departments from 12 to 9, the renaming of most departments and a re-allocation of some departmental functions, so that the Executive appointed after the 2016 Assembly election will be on a nine-department basis.

DCAL's functions will be integrated into three of these new Departments. DCAL's responsibility for inland fisheries will transfer into the Department for Agriculture, Environment and Rural Affairs. The responsibility for Inland Waterways will transfer to the Department for Infrastructure. And the majority of DCAL's functions will form a key part of the Department for Communities.

In addition the Department for Communities will contain DSD functions, the Employment Service and Economic Inactivity Strategy from DEL, Local Government and Built heritage from DOE, Debt Advice and the Financial Capability Strategy from DETI and a range of functions from OFMDFM including some responsibilities for children, older people and the Social Investment Fund.

As part of this restructuring no functions are being done away with and no policies terminated, so all functions in relation to arts will continue to be represented in the new Department for Communities.

My officials undertake regular engagement with all of the Department's Arms Length bodies. Workshops and meetings have already taken place with the Arts Council to discuss the Departmental restructuring and the opportunities this will provide to help ensure that as wide a range of the community as possible, particularly those suffering from poverty and disadvantage, are able to access the benefits delivered from participation in the arts.

My officials are represented at all levels across the Restructuring Programme to ensure that the benefits of culture, arts and leisure remain embedded at the heart of our civil service.

**Mr McQuillan** asked the Minister of Culture, Arts and Leisure for an update on the SportNI board.

**(AQO 9185/11-16)**

**Ms Ní Chuilín:** As members are aware, nine members of the Sport NI Board resigned on 6 July.

I commissioned an open competition to appoint up to five new members to the Board. The competition is being taken forward in accordance with the Commissioner for Public Appointments 'Code of Practice for Ministerial Public Appointments'.

Interviews with candidates have concluded, and the next step is for me to select new Board members from those candidates deemed suitable for appointment following the interview process. I expect these new appointments to be made in December.

Following the resignation of nine members, I acted swiftly to ensure that the Board continues to operate effectively, until new members can be appointed.

Following an Interest Circular seeking volunteers throughout the NI Civil Service, I can confirm that three Senior Civil Servants were co-opted to provide advice and support to the remaining Board members. These volunteers are also providing additional support by sitting on a number of sub-committees, including the Audit and Risk Assurance Committee.

**Mr McKay** asked the Minister of Culture, Arts and Leisure when the members of the Committee for Culture, Arts and Leisure were informed of the Culture Partnership Programme.

**(AQO 9186/11-16)**

**Ms Ní Chuilín:** CAL Committee members were fully aware of my intention to support a Cultural Programme to coincide with the 2013 World Police and Fire Games.

A written briefing with details of the programme and the Cultural partners was provided on 25th June 2013 and the Committee was briefed on bids for subsequent Cultural Programmes on 5th June 2014 and 2nd June 2015.

## Department of Education

**Mrs Overend** asked the Minister of Education, following acceptance of their letter of offer, whether schools that incur expenditure on the Delivering Social Change Shared Education Signature Project, will have those funds taken out of their school budget if they don't fully comply with the statutory assessment process.

**(AQW 50616/11-16)**

**Mr O'Dowd (The Minister of Education):** All schools that have signed their letter of offer have accepted the terms and conditions of funding. I am currently in negotiation with teaching unions regarding the assessment process and am hopeful of a speedy resolution that would negate the situation outlined.



**Mr Weir** asked the Minister of Education to detail the number of times the Teaching Appointments Committee of the Education Authority met in the last twelve months.

**(AQW 50644/11-16)**

**Mr O'Dowd:** The Department of Education does not employ teachers, and as such is not directly involved in employment matters.

The Education Authority has advised that the Teaching Appointments Committee of the Education Authority has met 49 times since becoming operational on 1 April 2015.

**Mr Weir** asked the Minister of Education to detail how much the Education Authority has spent on facilitating the Teaching Appointments Committee in the last twelve months.

**(AQW 50645/11-16)**

**Mr O'Dowd:** The Department of Education does not employ teachers, and as such is not directly involved in employment matters.

The Education Authority has spent £3,645 from 1 April 2015 facilitating the Teaching Appointments Committee.

**Mr Weir** asked the Minister of Education to detail the daily rate of pay or expenses allowance available to members of the Teaching Appointments Committee in the Education Authority.

**(AQW 50647/11-16)**

**Mr O'Dowd:** The Education Authority has advised that Attendance Allowances are payable to ELB-TAC Members only at the following rates:

<b>Attendance at a TAC for up to 4 hours</b>	<b>£22.00</b>
Attendance at a TAC for more than 4 hours	£30.39

No other member of a Teaching Appointments Committee (TAC) receives separate payment or attendance allowance for attending a TAC.

Travel expenses, on a mileage basis, as appropriate, are payable to:

- Board Members (1 in attendance at each TAC)
- ELB-TAC Members (up to 2 in attendance at each TAC)
- Principal Representatives (up to 2 in attendance at each TAC)

**Mr Weir** asked the Minister of Education how many meetings of the Teaching Appointments Committee in the five Education and Library Boards took place in each year since 2010.

**(AQW 50648/11-16)**

**Mr O'Dowd:** The number of meetings of the Teaching Appointments Committee in the five Education and Library Boards in each year since 2010 are detailed in the following table.

**Number of Teaching Appointments Committee Meetings in the ELBs**

	<b>Belfast</b>	<b>North Eastern</b>	<b>South Eastern</b>	<b>Southern</b>	<b>Western</b>
2010/11	10	11	9	4	15
2011/12	4	13	15	6	14
2012/13	12	14	19	13	9
2013/14	8	18	7	18	5
2014/15	9	12	13	18	10

**Mr Weir** asked the Minister of Education to detail how much each Education and Library Board spent on facilitating the Teaching Appointments Committee in each year since 2010.

**(AQW 50649/11-16)**

**Mr O'Dowd:** The cost of facilitating Teaching Appointments Committee (TAC) in the ELBs in each year since 2010 are detailed below.

**Cost of Facilitating Teaching Appointments Committees in the ELBs £**

	<b>Belfast</b>	<b>North Eastern</b>	<b>South Eastern</b>	<b>Southern</b>	<b>Western</b>
2010/11	713	2,506	7,750	752	1,309
2011/12	240	2,724	11,922	1,185	1,353

	<b>Belfast</b>	<b>North Eastern</b>	<b>South Eastern</b>	<b>Southern</b>	<b>Western</b>
2012/13	868	2,240	14,641	2,594	659
2013/14	580	3,048	6,812	3,565	608
2014/15	642	2,222	10,109	3,336	1,371

**Mr Frew** asked the Minister of Education to detail what support is available for pupils with speech and language disorders in primary schools.

**(AQW 50686/11-16)**

**Mr O'Dowd:** The Education Authority (EA) has advised that there is a range of support available for pupils in primary schools with speech and language difficulties including:-

- Advisory support for school staff on meeting the needs of pupils;
- Capacity Building/Training to school staff and parents in a range of speech, language and communication themes;
- Direct intervention for referred pupils on an individual or small group basis;
- Support in specialist speech and language learning support centres. These centres provide opportunities for intensive teaching and speech and language therapy in a language rich environment.

Pupils with significant speech and language problems may also be able to avail of the health trust's speech and language therapy service, usually either through direct therapy or a home/school programme.

**Mr Dallat** asked the Minister of Education for a breakdown of the period of time that teachers have been suspended in each of the last five years.

**(AQW 50699/11-16)**

**Mr O'Dowd:** The Department of Education does not employ teachers, and as such is not directly involved in employment matters, including the precautionary suspension of teachers. Teachers are employed by the relevant Board of Governors (BoG) for each school setting. Decisions on precautionary suspension are therefore a matter for the BoG, in conjunction with the relevant employing authority.

Teachers can be placed on precautionary suspension by the BoG, the Chairperson of the BoG or the Principal for any of the following reasons:

- an allegation of misconduct which requires to be investigated; or
- an allegation of a child protection nature; or
- on medical or health and safety grounds awaiting a referral to an Occupational Health physician.

The decision to place a teacher on precautionary suspension, without prejudice, should only be taken after careful consideration and where it is deemed absolutely necessary.

The period of time for suspensions of teachers within the Education Authority and The Council for Catholic Maintained Schools, over the last five years, has been grouped in order to prevent the disclosure of personal information:

<b>Duration of Suspension</b>	<b>No of cases in the past 5 years</b>
0 – 3 months	62 cases
4 – 12 months	24 cases
13+ months	16
<b>Total</b>	<b>102</b>

The period of time varies for each case, as the nature of precautionary suspensions can be very complex and a number of agencies can be involved in resolving issues relating to the suspension, such as Social Services, the Police Service of Northern Ireland and the Occupational Health Service.

Information in relation to Voluntary Grammar Schools and Grant Maintained Integrated Schools is not available for the period requested.

**Mr Weir** asked the Minister of Education to detail the schools awarded green flag status under the Eco-Schools programme.

**(AQW 50907/11-16)**

**Mr O'Dowd:** The Eco-Schools programme is operated by the environmental charity 'Keep Northern Ireland Beautiful'. The principal sponsor is SSE Airtricity, with the Department of the Environment providing funding and support. My department does not endorse or recommend any particular curriculum resource; rather it is up to individual schools to determine how they wish to deliver the curriculum. I understand that there are currently 244 Green Flag Eco-Schools here. Further information can be obtained directly from [enquiries@keepnorthernirelandbeautiful.org](mailto:enquiries@keepnorthernirelandbeautiful.org)

**Mr Weir** asked the Minister of Education to detail how much funding his Department has given to the Eco-Schools programme in each of the last three years.

**(AQW 50908/11-16)**

**Mr O'Dowd:** The Department of Education has not provided any funding to the Eco-Schools programme. The Eco-Schools programme in the north of Ireland is operated by the environmental charity 'Keep Northern Ireland Beautiful'. The principal sponsor is SSE Airtricity, with the Department of the Environment providing funding and support. My department does not endorse or recommend any particular curriculum resource; rather it is up to individual schools to determine how they wish to deliver the curriculum.

**Mr Weir** asked the Minister of Education how many permanent staff employed by the Education Authority transferred in from groups or organisations not affected by the Review of Public Administration.

**(AQW 50912/11-16)**

**Mr O'Dowd:** In September 2014, the Executive agreed to withdraw the commitment to establish an Education and Skills Authority (ESA) from its Programme for Government 2011-15.

The subsequent amalgamation of the five Education and Library Boards and their Staff Commission to form the Education Authority was not part of the Review of Public Administration (RPA). Therefore, none of the staff employed by the Education Authority transferred from groups or organisations affected by the RPA.

**Mr Weir** asked the Minister of Education to detail the rationale for appointing Directors in the Education Authority before a permanent Chief Executive had been appointed.

**(AQW 50913/11-16)**

**Mr O'Dowd:** The appointment of Directors in the Education Authority is required to progress the transition from a sub-regional to a functional management structure and thus expedite the regionalisation of the Authority's services. This transition is being overseen by the interim Chief Executive appointed by my Department in accordance with the provisions of the Education Act (NI) 2014. The Act also provides that within one year of the date of its first Board meeting (which took place on 30 April 2015), the Authority shall commence a process to appoint a permanent chief executive. The exact timing of that appointment is a matter for the Board of the Education Authority.

**Mr Dallat** asked the Minister of Education to detail the number of tribunals in the last twelve months that have had a cost bearing on his Department relating to disciplinary matters involving (i) teaching staff in primary and post-primary schools; and (ii) non-teaching staff in primary and post-primary schools.

**(AQW 50923/11-16)**

**Mr O'Dowd:** There have been no tribunals in the last 12 months relating to disciplinary matters involving school-based staff for which the Department bore any costs.

**Mr Dallat** asked the Minister of Education to detail the (i) outcome; and (ii) cost of industrial tribunals relating to the suspension of staff in (a) primary; and (b) post-primary schools in each of the last five years.

**(AQW 50924/11-16)**

**Mr O'Dowd:** The employing authorities of staff in primary or post-primary schools in the controlled and maintained sector have advised that there have been no industrial tribunals relating to the suspension of staff in the last five years.

Information is not available relating to staff in voluntary grammar and grant maintained integrated schools where each individual Board of Governors is an employer in their own right.

**Mr Lyttle** asked the Minister of Education whether he will introduce coding for all pupils from year eight onwards.

**(AQW 50979/11-16)**

**Mr O'Dowd:** The flexibility already in place within the curriculum, enables schools to teach coding in any Key Stage, including at primary school level, if they feel it appropriate.

**Ms Sugden** asked the Minister of Education for an update on the Community Relations, Equality and Diversity fund.

**(AQW 51000/11-16)**

**Mr O'Dowd:** Earmarked funding for Community Relations, Equality and Diversity (CRED) ended in March 2015, with a view to CRED work continuing in the schools and youth sectors through mainstream funding.

**Ms Sugden** asked the Minister of Education for his assessment of the recent survey conducted by the National Association of Head Teachers Northern Ireland that indicates increased levels of stress amongst teachers.

**(AQW 51001/11-16)**

**Mr O'Dowd:** The NAHT did not share a copy of their recent survey with me, so my officials had to request the same which has just been received. As such, I am not in a position to make a fully informed assessment of the findings; however I have stated that I am willing to meet with them to discuss this matter.

The health and wellbeing of school principals, is a matter of the utmost importance to me. I am aware of the health and wellbeing issues faced by all of our teaching workforce, and the importance of addressing them if we are to retain a committed, motivated and healthy teaching workforce.

**Mr Dunne** asked the Minister of Education what support is in place to protect the welfare of school principals.  
(AQW 51034/11-16)

**Mr O'Dowd:** The health and wellbeing of school principals is a matter of the utmost importance to me. I am aware of the health and wellbeing issues faced by all of our teaching workforce, and the importance of addressing them if we are to retain a committed, motivated and healthy teaching workforce.

Most recently, I personally endorsed the reinvigoration of the Teachers' Health and Wellbeing Working Group of the Teachers' Negotiating Committee (TNC).

Responsibility for the health and wellbeing of school principals rests with the Board of Governors as their employers and, where relevant, the employing authorities.

My Department, in conjunction with employing authorities and teaching unions, through the Teachers' Negotiating Committee, continue to work together to tackle issues that impact on teachers health and wellbeing.

In recent years a number of measures have been introduced to provide support to the teaching workforce, which includes school principals. These measures include the development of a strategy for teachers' health and wellbeing; a policy statement on tackling violence and abuse against teachers; a workload agreement; a teachers attendance procedure, which includes a new provision for the recording of incidences of work-related stress; an independent 24 hour confidential telephone counselling service for all teachers provided by Carecall; schemes to enable flexible working, job sharing, career break and temporary variation of contract and also a policy statement on planning, preparation and assessment time. Support mechanisms, where there is concern regarding the effective leadership of a school principal, have also been put in place.

In 2008, in recognition of the particular pressures facing primary school teaching Principals, I introduced funding to enable them to avail of at least two days per week release time from teaching duties to concentrate on their leadership, management and administrative duties.

**Mr Weir** asked the Minister of Education whether there are any plans for compulsory redundancies in the Education Authority.  
(AQW 51053/11-16)

**Mr O'Dowd:** The Education Authority has advised that it has no plans for compulsory redundancies.

**Mr Weir** asked the Minister of Education what steps are in place to ensure that best practice from the Education and Library Boards is adopted by the Education Authority.  
(AQW 51054/11-16)

**Mr O'Dowd:** A change programme is currently being implemented to manage the transition from five organisations with responsibility for delivery of education services to a single authority. In effecting this transition, business continuity has been the Education Authority's priority. This has been achieved through retention of the existing operational structures and procedures of the former Education and Library Boards (ELBs). These transitional arrangements will remain in place until Directors are appointed to review and redesign the delivery of services within a single structure, building on best practice within the ELBs.

**Mr Weir** asked the Minister of Education what actions the Education Authority has put in place to address or prevent work related stress for non-teaching staff.  
(AQW 51055/11-16)

**Mr O'Dowd:** The Education Authority (EA) has advised that various actions have been put in place to address or prevent work related stress.

Line managers will always investigate / engage with staff who have notified them of absence due to work related stress, with the aim of identifying the contributing factors in order to work towards a resolution. The Management of Attendance Policy and occupational health arrangements provide support for staff during absence and in their return to work. For example, this would include identifying where reasonable adjustments are required or where a phased return to work will be beneficial.

Staff welfare officers, employed by the EA are available to provide support to staff and signposting of specialist services which can provide further support for individual staff. In addition, all staff have access to independent, confidential 24 hour counselling support and individual counselling sessions which are provided by Carecall on behalf of EA.

There is also a suite of HR policies in place to support the health and well-being of non-teaching staff. These have been negotiated with the trade unions, and include the right to request flexible working arrangements, career breaks, job share, emergency leave, etc.

Grievance procedures and harassment and bullying policies are in place, as is a whistle-blowing policy for circumstances in which staff require formal mechanisms for having any grievance or concern addressed.

**Mr Weir** asked the Minister of Education to detail the rationale for advertising Director posts within the Education Authority in the Sunday Times.

**(AQW 51056/11-16)**

**Mr O'Dowd:** The recruitment and selection exercise to appoint five Directors to the Education Authority is of major significance to the Education Authority (EA).

These are important leadership roles and the Directors appointed through this exercise will play a lead role in the planning, development and delivery of a new vision and strategy for the EA. The EA was therefore seeking to attract a pool of high quality candidates.

Roles of such significance are often advertised beyond the north of Ireland. In addition to advertising the roles in the local papers (Belfast Telegraph, Irish News and Newsletter), they were also advertised in the Sunday Times – a market-leading publication for the advertisement of roles of this stature and significance – and in the Irish Times.

**Ms Sugden** asked the Minister of Education to detail (i) what professional support is provided by his Department to reduce stress among teachers; (ii) whether he has any plans to increase the support available; and (iii) what discussions his Department has had with stakeholders in the last twelve months regarding stress levels among teaching staff.

**(AQW 51086/11-16)**

**Mr O'Dowd:** Responsibility for the health and wellbeing of teachers rests with the Board of Governors as their employers and, where relevant, the employing authorities. It is therefore their responsibility, dependant on the circumstances, to determine the appropriate professional support which should be made available to teachers.

My Department, in conjunction with the employing authorities and teaching unions, through the Teachers' Negotiating Committee, continue to work together to tackle issues that impact on teachers health and wellbeing and this issue is a regular agenda item at those meetings.

Most recently, I personally endorsed the reinvigoration of the Teachers' Health and Wellbeing Working Group of the Teachers' Negotiating Committee (TNC). This group will consider matters in relation to support which is, or can, be made available to the teaching workforce.

In recent years a number of measures have been introduced to provide support to the teaching workforce. These measures include the development of a strategy for teachers' health and wellbeing; a policy statement on tackling violence and abuse against teachers; a workload agreement; a teachers attendance procedure, which includes a new provision for the recording of incidences of work-related stress; an independent 24 hour confidential telephone counselling service for all teachers provided by Carecall; schemes to enable flexible working, job sharing, career break and temporary variation of contract and also a policy statement on planning, preparation and assessment time.

At my request, a series of meetings was recently held between the teaching unions and my Department to discuss strategic matters in relation to education and I can advise that matters regarding teachers' health and wellbeing were raised for discussion by a number of representatives in attendance.

**Mr Weir** asked the Minister of Education whether the Education and Schools Estate Management allocation of £5m announced in the November monitoring round will go directly to schools or be allocated through the Education Authority.

**(AQW 51117/11-16)**

**Mr O'Dowd:** The Education Authority (EA) is responsible for the maintenance of Controlled and Maintained schools and therefore the allocation of £5million for maintenance was made to the EA on 19 November. The EA will select the school maintenance projects to which this additional funding will be directed.

**Mr McElduff** asked the Minister of Education for an update on any plans his Department has to make a capital investment in Recarson, Primary School in Omagh, County Tyrone.

**(AQW 51131/11-16)**

**Mr O'Dowd:** Recarson Primary School (PS) has not been included in any of my announcements to date for new major capital builds due to budget constraints. However this in no way implies that the school will not be considered for a new build in the future.

I understand that three capital minor works schemes have been designed to provide Recarson PS with modular accommodation; CCTV & access control and a pick up/drop off area. The current financial situation has meant that these schemes, along with many others, have not been able to progress beyond pre-tender stage at this time. However I will continue to seek funding for these and other outstanding minor works schemes as the opportunities to bid for additional capital resources arise.



Meanwhile the Council for Catholic Maintained Schools has confirmed that it will continue to keep the capital needs of the school under review.

**Ms Sugden** asked the Minister of Education, pursuant to AQW 49980/11-16, to detail what opportunities stakeholders have had to respond to proposals for the new Pathways Fund.

**(AQW 51137/11-16)**

**Mr O'Dowd:** Procurement for the Fund Administrator is underway with Central Procurement Directorate (CPD), DFP which is a Centre of Procurement Expertise (CoPE), with the view to having an administrator in place in December 2015. Once the Administrator has been appointed they will liaise with the Early Years sector in relation to the application and assessment process.

The Pathway Fund will be open for applications in early 2016, with the aim of awards being made by April 2016.

The Pathway Fund will be open to all providers of Early Years education (aged 0-4) to apply.

## Department for Employment and Learning

**Ms Sugden** asked the Minister for Employment and Learning to detail how Pathways to Success projects collect data at an individual level regarding (i) participant characteristics; (ii) the forms of support they receive; and (iii) their destinations, both within projects and following their completion.

**(AQW 49439/11-16)**

**Dr Farry (The Minister for Employment and Learning):** Pathways to Success project mentors capture data, directly from clients availing of the respective programme, when clients join the project and when they progress to positive destinations. The information obtained from initial mentoring sessions is confidential and remains with the organisation, as very often young people in the NEET (not in employment, education or training) category have multiple barriers to employment. A broad spectrum of support is tailored to suit individual needs e.g. personal advice and mentoring, job search, interview preparation, one to one and group work, short accredited training courses, pre employment programmes and ongoing work placement opportunities.

NEET interventions are intended to guide young people towards playing a full role in their communities and to support the economy, with the skills needed for the future. Project mentors supported young people while they were in training and, afterwards, followed up with the young people into their new destinations and continued to provide mentoring support. Going forward, European Social Fund (ESF) project providers will use Richter scales and other methodologies to track clients. Those who leave and return to the benefit system will be tracked through the Client Management System and with the support of Careers Service staff.

The outcomes achieved from previous Pathways interventions were collected by project organisations and were as follows. The Collaboration and Innovation Fund supported 6,017 young people aged 16 to 24 years who were in the NEET category. During the period January 2013 to March 2015 4,719 young people completed the programme with 692 (12%) moving into employment, 622 (10%) commenced education and 1,702 (28%) started training, representing an overall positive outcome of 3,016 (50%).

The Community Family Support Programme, was designed as a signature project for Delivering Social Change, and was piloted from January to June 2013. It successfully engaged 44 families and, subsequently, was up scaled to 720 families in 2013-15.

Between 2013-2015, a total of 610 families attended a Family Learning Component intervention session, and 458 young people participated on the programme with 293 entering education, training or employment. Further data was captured on those starting (341) and completing (74) essential skills, short accredited training courses (179) and other positive outcomes.

The Local Employment Intermediary Service (LEMIS) supported 1,156 young people in 2014/15. A total of 480 young people moved to positive destinations of education, training or employment. Personal advice and mentoring support and ongoing support 13 weeks after a client secured employment was given to ensure job retention.

My Department's aim is to continue the delivery of customer focused provision through the new NI ESF Investment for Growth & Jobs Programme from April 2015 to March 2018. Good practices delivered under previous Pathways projects will be continued under the new ESF strand to ensure support for the most disengaged young people continues.

**Mr Easton** asked the Minister for Employment and Learning to detail what conversations he has had with St Mary's University College, Belfast regarding the Certificate in Religious Education.

**(AQW 49917/11-16)**

**Dr Farry:** The Certificate in Religious Education has featured in my discussions with representatives of St Mary's University College as part of the wider discussions arising from the two stage review of initial teacher education infrastructure and the Aspiring to Excellence report of the International Review Panel.

**Mr Easton** asked the Minister for Employment and Learning to detail what conversations he has had with Bishop Treanor regarding the Certificate in Religious Education.

**(AQW 49918/11-16)**

**Dr Farry:** My most recent conversations with Bishop Treanor took place on 5 October 2011 and 25 January 2012. However, more recently, the Certificate in Religious Education has featured in my discussions with representatives of St Mary's University College as part of the wider discussions arising from the two stage review of initial teacher education infrastructure and the Aspiring to Excellence report of the International Review Panel.

I also requested a meeting with the Archbishop of Armagh earlier this year to discuss the Aspiring to Excellence report. Unfortunately the request was declined.

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQW 49725/11-16 and given that his Department funds over half the budget of St Mary's University College and issues guidance with each annual grant of funding requiring a shared and inclusive environment, to detail (i) what action he has taken against St Mary's University College given the clear breach; and (ii) whether he intends clawing back funding as a result of the sectarian nature of the exhibition.

**(AQW 50666/11-16)**

**Dr Farry:** While my Department highlights, to all higher education institutions, their responsibility to adhere to relevant legislation, assurance of compatibility with this legislation is not within my Department's remit.

I am not considering any claw back of funding as the College has not breached any conditions of funding.

**Mr Swann** asked the Minister for Employment and Learning to detail the names and grades of the members of the European Social Fund Quality Improvement Team.

**(AQW 50829/11-16)**

**Dr Farry:** There is no specific 'European Social Fund (ESF) Quality Improvement Team' within my Department. There is a Departmental Quality Improvement Team which provides support to all relevant business areas, including ESF. The Quality Improvement Team also acts as a liaison between the ESF projects and the Education and Training Inspectorate (ETI), to help implement the quality inspection processes to which all projects will be subject.

The Departmental Quality Improvement Advisor is Angela Whiteside, who is a Grade 6. Angela advises on quality matters across all relevant departmental programmes, policies and projects, including the ESF projects.

She is assisted by an administration team, including one deputy principal (DP), one staff officer (SO), one executive officer (EO2) and one administration officer (AO), who as part of their roles will assist with ESF quality administration tasks.

**Mr McKay** asked the Minister for Employment and Learning to detail what additional cycling and cycle parking facilities have been provided (i) to departmental staff; and (ii) outside departmental buildings to increase the uptake of cycling.

**(AQW 50874/11-16)**

**Dr Farry:** The Department of Finance and Personnel manages all buildings for my Department and will provide the requested information in its response to AQW 50877/11-16.

**Mr Easton** asked the Minister for Employment and Learning, pursuant to AQW 49600/11-16, to detail the location of the starting and end points of the taxi journey costing £100.20.

**(AQW 50905/11-16)**

**Dr Farry:** I have already provided this information in my recent response to AQW 50516/11-16. The figure of £100.20 relates to four separate taxi journeys.

## Department of Enterprise, Trade and Investment

**Mr Dickson** asked the Minister of Enterprise, Trade and Investment how many (i) co-operatives; (ii) community benefit societies; (iii) community interested companies; and (iv) registered charities have been formed with the support of the 11 Social Enterprise Hubs since they were funded under the Executive's Accelerating Social Enterprises programme.

**(AQW 51051/11-16)**

**Mr Bell (The Minister of Enterprise, Trade and Investment):** The 11 Social Enterprise Hubs are now in their second year of delivery. The hubs offer various types of support including training, mentoring, workshops and advice clinics to enable groups to set up social enterprises.

To date they have assisted groups to form 3 co-operatives, 10 community benefit societies, 82 community interest companies and 21 registered charities. In addition to this, 9 companies limited by guarantee, 1 development trust and 10 companies limited by guarantee with charitable status have been established. Work is ongoing with many other groups who are at various stages of setting up social enterprises.

## Department of the Environment

**Mr Flanagan** asked the Minister of the Environment what plans his Department has to increase the ability of the Northern Ireland Environment Agency to analyse dead fish to establish the cause of death in the event of pollution.

**(AQW 50345/11-16)**

**Mr Durkan (The Minister of the Environment):** When fish are exposed to lethal concentrations of chemicals it is unlikely that these substances will be accumulated in flesh or organs because of the short exposure time. This is why the Northern Ireland Environment Agency (NIEA) take water samples as opposed to fish samples.

NIEA laboratories have at their disposal sophisticated 'state of the art' analytical instrumentation with ultra sensitivity. This allows the detection of potential contaminants in water at concentrations from parts per billion to parts per trillion in some cases. The techniques of analysis can be applied to pollution cases and used to determine the types of pollutants present which can assist in identifying potential sources.

DCAL Inland Fisheries staff assist in NIEA investigations of pollution incidents where a fish kill has taken place. Where there is suspicion that fish disease may be a factor, DARD Fish Health is notified as the competent authority for aquatic animal health and a sample of fish may be taken for testing in communication with DARD. In the last five years DCAL Inland Fisheries Group has not sent any fish suspected of being killed to external test laboratories.

**Lord Morrow** asked the Minister of the Environment, in relation to the training that must be completed by all taxi drivers before renewal of their required licence, to detail why drivers with a licence that expires between 1 September 2016 and 31 August 2017 are required to complete seven hours training, while drivers with a licence that expires between 1 September 2018 and 31 August 2019 are required to complete twenty one hours.

**(AQW 50574/11-16)**

**Mr Durkan:** Periodic training is applicable to all taxi drivers and, in the longer term, a taxi driver licence will only be granted if a driver has undergone 35 hours of such training by an authorised training provider within the five year period of the expired licence.

Rather than require all drivers to undertake the 35 hours, from 1 September 2015, the new requirement is being phased in, in accordance with the table below. This means that drivers can take a more manageable seven hours per year in advance of their Taxi Driver Licence renewal date.

Date of expiry of licence	Training required
1 September 2015 – 31 August 2016	Nil
1 September 2016 – 31 August 2017	7 hours
1 September 2017 – 31 August 2018	14 hours
1 September 2018 – 31 August 2019	21 hours
1 September 2019 – 31 August 2020	28 hours
From 1 September 2020 onwards	35 hours

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 36475/11-15, given this response and the recent recommendation by the Planning Service to approve a Centralised Anaerobic Digestion plant at Ballynakelly, County Tyrone, despite residents objections, to detail what action he will take against the Planning Service following their decision to approve this project against departmental policy, or will he review the original answer to AQW 36475/11-15.

**(AQW 50579/11-16)**

**Mr Durkan:** The Member will be aware that, following the transfer of most planning functions on April 1, the majority of applications for Centralised Anaerobic Digestion (CAD) will be determined by local councils. The transfer of planning functions is an important aspect of local government reform that gives elected representatives the power to determine what is appropriate for their areas, within a strategic framework of regional policy. It should be welcomed on this basis.

In making a determination on a proposal a council must, however, have regard to the local development plan, so far as material to the application, and to any other material considerations before either granting planning permission unconditionally, subject to such conditions as they see fit or, alternatively, refusing permission.

Material considerations include policy and guidance prepared by my Department and any representations received from the public, including objections to the proposal. They can, however, include any consideration that relates to the use and development of land. The relevance of considerations, and weight afforded to each, is a matter of planning judgement for the decision-taker.

In this instance Mid-Ulster Council, as the local planning authority, has determined that this development should proceed, subject to such conditions as they consider necessary to make it acceptable in planning terms.

I do not consider that it is necessary or appropriate to take any action against Mid Ulster District Council in relation to their decision as the local planning authority.

The member will note that, following the publication of my Department's Strategic Planning Policy Statement (SPPS) I have requested that officials commence a review of the strategic planning policy on Renewable Energy, which is of relevance to anaerobic digester development.

**Mr McKay** asked the Minister of the Environment to detail all thatched properties that are listed buildings.  
(AQW 50581/11-16)

**Mr Durkan:** The detail of the information you have requested, which has been extracted from the Northern Ireland Buildings Database, is attached and a copy will be placed on the assembly library.

**Mr Agnew** asked the Minister of the Environment whether the consultation requirements currently being conducted under Regulation 20(d) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015 for planning application LA04/2015/0301/F where previously conducted under Regulation 16(d) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012 for planning permission Z/2012/01387/F for a waste incinerator at Airport Road, East Belfast.  
(AQW 50619/11-16)

**Mr Durkan:** I can confirm that the consultation requirements under Regulation 16(d) of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012, in relation to planning permission Z/2012/1387/F, were undertaken on 14 January 2013.

**Mr Agnew** asked the Minister of the Environment, following the appellants' withdrawal of enforcement appeals relating to the unauthorised use of land for the deposit of controlled waste at Mobuoy Road, Derry, to detail (i) whether the enforcement notices remain valid; and (ii) what action his Department will take to ensure these notices are complied with.  
(AQW 50652/11-16)

**Mr Durkan:** These matters relate to ongoing enforcement proceedings and it is not appropriate to comment further pending the outcome of those proceedings.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 48956/11-16, to explain the anomaly between his Department's planning permission which shows a chimney height of 51 metres and the documentation used by the Health and Safety Executive to assess the proposal for a waste incinerator at Airport Road, East Belfast on the basis of information provided by Bombardier which indicates an increase in chimney height to 57 metres.  
(AQW 50702/11-16)

**Mr Durkan:** The Health and Safety Executive for Northern Ireland (HSENI) was consulted in relation to the original planning permission (planning ref Z/2012/1387/F). The consultation included details of the planning application, the drawings and the Environmental Statement (ES). The drawings for the application show a 51m high chimney from finished floor level and the ES advises that the chimney stack would "extend to a height of 51m (57mAOD) at the northwest elevation of the building". Therefore there is no anomaly. The chimney height is 51m above finished ground level and can also be described as 57m above ordnance datum (i.e. 57mAOD).

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 42531/11-15, to detail the reasons behind why his Department decided it is no longer appropriate to enter into a Memorandum of Understanding with the Ulster Farmers Union.  
(AQW 50733/11-16)

**Mr Durkan:** Farming is a critical sector for economic success in Northern Ireland. Successful farming depends on a clean and healthy environment. I have been engaging with a range of stakeholders throughout the farming community to promote partnership working between NIEA and the agricultural sector with a view to delivering better environmental outcomes and supporting sustainable and profitable farming.

Key NIEA staff engaged in a number of meetings with the UFU and worked with teams within the Agency to agree key actions to take forward in a Memorandum of Understanding (MOU). At the initial stages of drafting the MOU a proposal was included for a change in the regulatory approach for dealing with low severity farm pollution incidents.

NIEA officials discussed the proposed approach on dealing with low severity with the European Commission Cross Compliance Auditors who indicated that the proposed approach to dealing with low severity farm pollution incidents would be in contravention of the relevant Cross Compliance Regulations and that findings had been made against other Member States for similar approaches. Given this position it was decided not to implement the proposed approach to dealing with low severity farm pollution incidents and the UFU were informed of this by NIEA officials at a meeting on 25 September 2015.

The UFU expressed their disappointment that the proposed approach to dealing with low severity farm pollution incidents would not be implemented but acknowledged the efforts of NIEA officials in their discussions with the European Commission.

The UFU Environment Committee met on 29 September 2015 and decided not to commit to signing the MOU at that time but agreed to pursue the proposed approach to dealing with low severity farm pollution incidents with the European Commission in the first instance through political representatives.

Given the position of the European Commission Cross Compliance Auditors and the decision of the UFU it was decided that probability of signing the MOU was unlikely and therefore should not be pursued further.

NIEA will continue to work in partnership with stakeholders such as the UFU to create prosperity and well being through environmental excellence within legislative requirements.

**Mr Weir** asked the Minister of the Environment, given Ballyholme Beach, Bangor is currently ineligible for the Keep Northern Ireland Beautiful Beach Awards due to its poor water quality, to detail what actions his Department is taking to improve the water quality at Ballyholme Beach.

**(AQW 50748/11-16)**

**Mr Durkan:** Ards and North Down Borough Council is responsible for managing Ballyholme beach in addition to the beaches at Groomsport, Millisle and Ballywalter. Bathing water quality at Ballyholme beach has been classified as 'sufficient', not 'poor', under the new standards which came into effect in 2015 under the revised Bathing Water Directive (2006/7/EC). In addition, the water quality at Ballyholme has been improving in recent years.

The classification of 'sufficient' meant that Ballyholme could have been put forward for a Seaside or Green Coast Award, had the Council chosen to do so. They did not put any of the beaches under their management forward for an award in 2015 but will still be able to do so in 2016. Crawfordsburn and Helens Bay, beaches in North Down, which are under the management of my Department were awarded a Blue Flag and Seaside Award, and Green Coast Award respectively.

The Ballyholme bathing water catchment is a complex mixture of urban and rural pollution sources. Northern Ireland Water is currently undertaking a programme of improvement work to upgrade the sewerage infrastructure and key pumping stations in the Bangor area. This is an estimated £10M total investment by Northern Ireland Water in Bangor's sewerage infrastructure. Additionally, the Department has made representations to the Department of Agriculture and Rural Development and to the agriculture sector to highlight the impact of poor agricultural practices on our coastal waters (bathing and shellfish waters).

My Department has been working tirelessly to improve the standards of all our beaches and bathing waters through the Good Beach Summits. These are held twice per year, and an action plan has been developed in partnership with stakeholders to;

- Improve water quality
- Improve beach cleanliness, facilities management and signage
- Keep the public and media better informed
- Support the coastal economy

My Department recently published its 'Better Beaches Report' which sets out the progress made against the above criteria during the period of the Good Beach Summits. A copy of this report will be placed in the Assembly Library.

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 42531/11-15, to detail the conflict that exists between the Northern Ireland Environment Agency, the Ulster Farmers' Union and the farming community.

**(AQW 50767/11-16)**

**Mr Durkan:** NIEA has no conflict with either the Ulster Farmers Union or the wider farming community. NIEA will continue to work in partnership with stakeholders such as the UFU to create prosperity and well being through environmental excellence within legislative requirements.

**Lord Morrow** asked the Minister of the Environment to detail the number of taxis that are licensed as (i) Belfast Public Hire taxis; (ii) taxis for advanced booking only; (iii) public hire taxis outside Belfast; and (iv) taxi buses.

**(AQW 50784/11-16)**

**Mr Durkan:** Official statistics detailing the breakdown of licensed taxis are tabulated below.

Public Restricted (outside Belfast)	6,879
Private Hire	1,688
Belfast Public Hire	421
Taxi Bus	224

**Notes:** Figures sourced from DOE National Statistics and relate to the total current licences as a snapshot at the 30th June 2015.

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 49247/11-16 and AQW 49962/11-16, to detail the reasons for the disparity between the two responses provided.

**(AQW 50786/11-16)**



**Mr Durkan:** I do not consider there is any disparity between the responses provided to AQW 49247/11-16 and AQW 49962/11-16. In each case, a different question was posed and a factually correct response issued.

**Lord Morrow** asked the Minister of the Environment to detail the (i) plans in relation to taxi roof signs; and (ii) differences between roof signage for private and public hire taxis.

**(AQW 50854/11-16)**

**Mr Durkan:** The forthcoming Taxi Licensing Regulations will bring in a new standard taxi roofsign for Class A and Class B taxis. The regulations will state the sign will be yellow to the front and back, a minimum of 125mm high and no less than 750mm across. The front can display either the name or trading name of the operator or the word "Taxi", whilst the back can display a telephone number or the word "Taxi". It must be capable of holding and displaying a taxi licence plate on the nearside of both the front and rear surfaces, and this must be easily removable. Class B taxis (Wheelchair Accessible) will, additionally, have to display a wheelchair symbol on the sign.

Once the new Regulations are made, the existing legislation for 'public service vehicles' will cease to apply to taxis. As a result, the terms "public hire" and "private hire" will no longer be used; instead, all taxis will fall into one of the new Classes, dependant on the use of the vehicle. However, there will be particular restrictions placed upon Class A taxis (non wheelchair accessible taxis) in Belfast, in terms of plying for hire, thus providing the current Belfast Public Hire taxis with the advantage they currently benefit from.

**Lord Morrow** asked the Minister of the Environment to detail the number of detections made for breached taxi operator licensing in the last six months.

**(AQW 50855/11-16)**

**Mr Durkan:** During the period 1 January to 30 June 2015 there were 177 detections made for breaches of taxi operator licensing requirements.

Figures from July to September 2015 are subject to the Official Statistics Code of Practice and are scheduled to be published on 17 December 2015.

**Mr Weir** asked the Minister of the Environment whether a total ban on snares would require legislation to be introduced; and if so, to detail (a) whether it would be primary or subordinate legislation; and (b) the timeframe for introducing this legislation.

**(AQW 50856/11-16)**

**Mr Durkan:** The use of snares is regulated by Article 12 of the Wildlife (NI) Order 1985.

Any proposal to ban the use of snares would require amendment of that legislation and would require primary legislation.

There is limited time left within the scheduled mandate of the Assembly to take forward primary legislation.

**Mr Rogers** asked the Minister of the Environment for a breakdown of the gender balance on each of his Department's publicly appointed boards and arm's-length bodies.

**(AQW 50870/11-16)**

**Mr Durkan:** My Department is responsible for five arm's-length bodies, the membership details of which are attached at Annex A. Public appointment vacancies arising are publicly advertised and circulated to Section 75 representative groups, including a number of women's groups to encourage applications from as diverse a pool of applicants as possible.

Body	Members (Including Chairpersons)	Female	Male	% Female
Council for Nature Conservation and the Countryside	10	4	6	40%
Historic Buildings Council	15	5	10	33%
Historic Monuments Council	15	5	10	33%
Local Government Staff Commission for Northern Ireland	12	6	6	50%
Northern Ireland Local Government Officers' Superannuation Committee (NILGOSC)	13	4	9	31%

**Mr Hussey** asked the Minister of the Environment to detail (i) the last time the Northern Ireland Environment Agency visited the St Lucia Barracks site, Omagh regarding all the buildings within the walled barracks; (ii) whether a report has been

compiled on the state of buildings; and (iii) whether he will take steps to ensure the listed buildings are maintained to the required standard.

**(AQW 50894/11-16)**

**Mr Durkan:**

- (i) The last time my officials visited St Lucia Barracks was in February 2015, when the senior Conservation Architect for the Omagh area visited the site in the company of the DFP Construction Procurement team. A complete walkthrough of all the buildings was made, options for regeneration discussed and record photographs taken.
- (ii) I understand a transfer condition report was prepared by the Central Procurement Division within the Department of Finance and Personnel over the summer.
- (iii) An official from Historic Environment Division in my Department attended a stakeholder meeting on 17 November 2015 in the Department for Social Development's offices in Omagh to discuss options for the future of the site. At the meeting the official from my Department highlighted the need to carry out regular routine maintenance to the buildings.

**Mr Agnew** asked the Minister of the Environment, in relation to the River Ridge Recycling operation at the site formerly owned by Brickkiln, at Electra Road, Derry, to detail (i) when the waste licence was granted to the new owner; (ii) when the new owner commenced the storage of waste at the site; and (iii) whether his Department was aware of, or consented to, any River Ridge Recycling operations taking place outside of any licensing requirements.

**(AQW 50896/11-16)**

**Mr Durkan:**

- (i) The waste licence for the site formerly owned by Brickkiln Wastes Ltd, Electra Road, Derry, currently in administration, was transferred to Coleraine Skip Hire & Recycling Ltd trading as (t/a) River Ridge Recycling on Tuesday, 10 November 2015; and
- (ii) Coleraine Skip Hire & Recycling Ltd t/a River Ridge Recycling has not yet brought any new waste onto the site; and
- (iii) The Department is not aware of, and has not consented to any River Ridge Recycling operations taking place outside of any licensing requirements.

**Mr Agnew** asked the Minister of the Environment whether any waste regulations were being breached by the new owners of the former Brickkiln recycling depot at Electra Road, Maydown, Derry; (a) before the fire took place on 10 November 2015; (b) on the day of the fire; and (c) are currently being breached.

**(AQW 50897/11-16)**

**Mr Durkan:** There are two licences for the treatment and storage of wastes on the site at Electra Road, Maydown, Derry and these were transferred on Tuesday, 10 November 2015 from Brickkiln Wastes Ltd, currently in administration, to Coleraine Skip Hire & Recycling Ltd t/a River Ridge Recycling.

- (i) No waste regulations were being breached by Coleraine Skip Hire & Recycling LTD t/a River Ridge Recycling before the fire took place on the 10 November 2015 as they were not the licence holder; and
- (II) No waste regulations were being breached by Coleraine Skip Hire & Recycling LTD t/a River Ridge Recycling on the day of the fire; and
- (III) All waste currently on site was brought onto the site by Brickkiln Waste Ltd, prior to the company entering administration in July 2015. The waste was permitted under the site's waste management licence. However, the licence was suspended on 10 July 2015 because the amount of waste stored at the site was in excess of the permitted quantities. The effect of the suspension was to prohibit the acceptance of any further waste until the excess was removed, and no further waste was accepted after that date. This suspension is still in effect until the excess waste is removed, and therefore no waste regulations are currently being breached by Coleraine Skip Hire & Recycling Ltd t/a River Ridge Recycling.

**Mr Agnew** asked the Minister of the Environment (i) whether any Refuse Derived Fuel was present at the site of the fire at the former Brickkiln waste recycling facility at Maydown, Derry; and if so, (ii) to detail when the fuel was brought on to the site.

**(AQW 50898/11-16)**

**Mr Durkan:**

- (i) Approximately 10,000 tonnes of mixed household and commercial waste (no hazardous waste) was stored onsite, the majority of which was baled as Refuse Derived Fuel (RDF).
- (ii) All waste currently on the site was brought on by Brickkiln Waste Ltd, prior to the company entering administration in July 2015. The waste was permitted under the site's waste management licence; however, the licence was suspended on 10 July 2015 because the amount of waste stored at the site was in excess of the permitted quantities. The effect of the suspension was to prohibit the acceptance of any further waste until the excess was removed, and no further waste was accepted after that date.

**Mr Agnew** asked the Minister of the Environment whether the waste which caught fire on 10 November 2015 at the River Ridge Recycling depot at Electra Road, Derry was material; (a) left there by the former Brickkiln operation; (b) brought on to the site by the new owners; (c) when it was brought on to the site; and (d) whether it was covered by the necessary waste licensing requirements at the time it was brought on to the site.

**(AQW 50899/11-16)**

**Mr Durkan:**

- (i) All waste currently on the site was brought on by Brickkiln Waste Ltd, prior to the company entering administration in July 2015.
- (ii) No waste has yet been brought onto the site by the new owners.
- (iii) All waste on site was brought on prior to the licence being suspended on 10 July 2015.
- (iv) All waste on site was permitted under the site's waste management licence which was suspended on 10 July 2015.

**Mr Weir** asked the Minister of the Environment to detail how much funding his Department has given to the Eco-Schools programme in each of the last three years.

**(AQW 50914/11-16)**

**Mr Durkan:** The Department has provided total funding of £330,000 to Keep Northern Ireland Beautiful for Eco-Schools (£85,000 in 2013/14, £125,000 in 2014/15 and £120,000 in 2015/16) over the last three financial years.

**Mr Allister** asked the Minister of the Environment, pursuant to AQW 49207/11-16, whether Executive approval was secured using emergency procedures.

**(AQW 50917/11-16)**

**Mr Durkan:** Pursuant to AQW 49207/11-16, Executive approval was secured by Urgent Procedure on 22 September 2015.

**Mr McNarry** asked the Minister of the Environment whether he intends to remove the wind turbine erected at 89 Ballygowan Road, Comber, BT23 5RP in order to meet his obligations to preserve the rural environment.

**(AQW 50942/11-16)**

**Mr Durkan:** Planning permission was granted in November 2012 for the erection of a 225kw wind turbine generator on a 31 metre self-supporting mast, at 350 metres north-west of 89 Ballygowan Road, Comber.

If the development has been carried out in accordance with the approved plans there would be no reason to intervene. However, if there has been a breach of planning control, then any enforcement issue will now be the responsibility of the local council, in this case Ards and North Down Borough Council.

If you consider that there is an enforcement issue with the wind turbine, you should address any concerns to the Chief Executive of the Council, who can be contacted at the address below;

Mr Stephen Reid  
Chief Executive

Ards and North Down Borough Council, Council Offices, 2 Church Street, Newtonards BT23 4AP.

**Mr Agnew** asked the Minister of the Environment, given his announcement of a notice of opinion to refuse planning application A/2011/0237/F, to detail why the case officer's report has not been made publicly available on the planning portal.

**(AQW 50962/11-16)**

**Mr Durkan:** I can confirm that the case officer's report was available to view on the application file and is now available to view on the NI Planning Portal Public Access.

**Mr McCallister** asked the Minister of the Environment for an update on research by the Republic of Ireland's Environmental Protection Agency into natural gas from shale which is being partly funded by his Department.

**(AQW 50996/11-16)**

**Mr Durkan:** The Research Programme consists of 5 inter related projects which themselves are made up of a large number of tasks. A dedicated website has been established to allow interested stakeholders to monitor progress on the research programme. I commend this website to you at [www.ugeerresearch.ie](http://www.ugeerresearch.ie).

In summary, the first phase of the research is progressing well, with a second phase required which will be the subject of a supplementary tendering exercise, subject to sufficient funding being available from the funding organisations.

**Mr McCallister** asked the Minister of the Environment whether his Department has assessed the comparisons in carbon emissions between coal and natural gas.

**(AQW 50997/11-16)**

**Mr Durkan:** The 5th Assessment Reports published by the Intergovernmental Panel on Climate Change between September 2013 and November 2014 provide a clear and up to date view of the current state of scientific knowledge relevant to climate change. The report on mitigation sets out the role for unabated fossil fuels and states that the use of the full range of natural gases in a modern gas-fired plant would reduce emissions per kWh by half when shifting from the current world average coal fired power plant, evaluated using 100 year global warming potentials.

The Committee on Climate Change provides independent advice to the UK government and the devolved administrations on tackling and preparing for climate change and reports regularly to the Parliaments and Assemblies on the progress made. The Committee endorses the findings from the Intergovernmental Panel report which are consistent with their stated position on decarbonising the UK energy system.

**Lord Morrow** asked the Minister of the Environment to detail the number of times taxi drivers were detected as picking up fares illegally within the Belfast City limits on 12 January 2015.  
(AQW 51048/11-16)

**Mr Durkan:** Our records show that there were no detections of taxi drivers picking up fares illegally within the Belfast City limits on 12 January 2015.

**Lord Morrow** asked the Minister of the Environment for a breakdown of the £138.50 charge for a Public Service Vehicle taxi test.  
(AQW 51049/11-16)

**Mr Durkan:** The Public Service Vehicle (PSV) taxi licence fee comprises of 3 main elements:

- Licensing costs                      £85.00
- Testing costs                         £33.50
- Compliance costs                  £20.00

**Lord Morrow** asked the Minister of the Environment whether a phone app or similar device qualifies under regulation and legislation as a taxi meter.  
(AQW 51050/11-16)

**Mr Durkan:** The definition of “taximeter” as set out both in the Measuring Instruments (Taximeters) Regulations 2006 and the Taxis Act (Northern Ireland) 2008, means ‘a device that works together with a signal generator to make a measuring instrument, with the device measuring duration, calculating distance on the basis of a signal delivered by distance signal generator ...’

As such the Department does not consider that the types of smartphone apps on the market, are taximeters.

## Department of Finance and Personnel

**Mr Ramsey** asked the Minister of Finance and Personnel, pursuant to AQW 49678/11-16, to detail the amount of rates paid on the following university campuses (i) Magee; (ii) Coleraine; (iii) Jordanstown; (iv) Belfast York Street; and (v) Queen’s University, Belfast.  
(AQW 50495/11-16)

**Mrs Foster (The Minister of Finance and Personnel):** The cash receipts received in relation to non-domestic university properties in the (i) Magee; (ii) Coleraine; (iii) Jordanstown; (iv) Belfast York Street; and (v) Queen’s University Belfast campuses in each year from 2010/11 to 2014/15 are given in the table below.

Campus	2010/11	2011/12	2012/13	2013/14	2014/15
Magee	£438,692	£450,947	£460,845	£471,759	£485,243
Coleraine	£780,019	£863,340	£859,020	£859,860	£873,210
Jordanstown	£1,383,641	£1,428,073	£1,463,513	£1,493,888	£1,516,138
Belfast York Street	£42,769	£1,114,397	£352,083	£357,259	£362,555
Queen’s University Belfast	£3,171,626	£3,343,449	£3,845,776	£3,685,506	£3,722,993
<b>Grand Total</b>	<b>£5,816,746</b>	<b>£7,200,206</b>	<b>£6,981,237</b>	<b>£6,868,272</b>	<b>£6,960,138</b>

**Mr McMullan** asked the Minister of Finance and Personnel to detail the number of households that receive Disabled Person’s Allowance Rate Relief to meet the special needs of a disabled person.  
(AQW 50664/11-16)

**Mrs Foster:** As at 31st October 2015, there were a total of 11,091 properties for which the ratepayers benefit from Disabled Persons Allowance Rate Relief.

**Mr McMullan** asked the Minister of Finance and Personnel to detail the annual cost of the Disabled Person's Allowance Rate Relief.

**(AQW 50665/11-16)**

**Mrs Foster:** The net amount of Disabled Persons Allowance Rate Relief awarded in 2014/15 (the latest complete year for which information is available) was £3.1 million.

**Mr McKay** asked the Minister of Finance and Personnel what actions her Department has taken to improve uptake of the cycle to work scheme.

**(AQW 50723/11-16)**

**Mrs Foster:** The Cycle to Work Scheme is now an established NICS wide scheme with designated contacts in each department. It was re-launched in February 2014 and continues as an open ended scheme available to all civil servants.

The uptake of the Scheme has been very good in the Department of Finance and Personnel and while no additional action has been taken in this regard, the designated contacts in the Department continue to provide advice and guidance to interested staff.

**Mr Gardiner** asked the Minister of Finance and Personnel to detail (i) the current level of Executive debt; (ii) the level of Executive Debt over each of the last 8 years, broken down by source of debt; and (iii) the total level of interest paid on each type of debt in each of the last 8 years.

**(AQW 50737/11-16)**

**Mrs Foster:**

- (i) The current level of Executive net debt as at 31 March 2015 totalled £1,892,734,040.

The main component of Executive debt is borrowing from the National Loans Fund. This consists of two elements:- borrowing to fund onward lending to councils, schools and the NI Housing Executive; and borrowing under the Reinvestment and Reform Initiative to fund departmental capital expenditure.

In addition the Executive has small amounts of residual debt relating to historic borrowing through Ulster Savings Certificates and Ulster Development Bonds. The sale of Ulster Savings Certificates ceased in 1991, with the opportunity to reinvest in Ulster Savings Reinvestment Issue Certificates which were subsequently withdrawn in March 1997. Ulster Development Bonds were last issued in 1985 with the last claim being made during the 1995/96 financial year.

- (ii) The level of debt in relation to each of these components over the last 8 years is provided at Annex A.

- (iii) Total interest paid is shown in Annex B.

#### Analysis of Public Debt

#### Annex A

	2007-08 £000	2008-09 £000	2009-10 £000	2010-11 £000	2011-12 £000	2012-13 £000	2013-14 £000	2014-15 £000
Ulster Savings Certificates	2,156	2,027	1,930	1,822	1,749	1,702	1,682	1,663
Ulster Development Bonds	12	12	12	12	12	12	12	12
National Loans Fund	881,823	763,849	633,251	603,508	519,479	442,069	372,475	308,851
National Loans Fund iro RRI	707,300	721,955	816,028	798,912	1,149,344	1,254,161	1,392,482	1,582,208
	<b>1,591,291</b>	<b>1,487,843</b>	<b>1,451,221</b>	<b>1,404,254</b>	<b>1,670,584</b>	<b>1,697,944</b>	<b>1,766,651</b>	<b>1,892,734</b>

#### Analysis of Interest Paid

#### Annex B

	2007-08 £000	2008-09 £000	2009-10 £000	2010-11 £000	2011-12 £000	2012-13 £000	2013-14 £000	2014-15 £000
Ulster Savings Certificates	122	150	152	201	81	56	54	43



	2007-08 £000	2008-09 £000	2009-10 £000	2010-11 £000	2011-12 £000	2012-13 £000	2013-14 £000	2014-15 £000
National Loans Fund	83,190	73,459	64,429	54,640	45,364	38,801	31,976	25,636
National Loans Fund iro RRI	31,109	32,775	33,343	36,396	40,291	45,440	47,246	51,038
	<b>114,421</b>	<b>106,384</b>	<b>97,924</b>	<b>91,237</b>	<b>85,736</b>	<b>84,297</b>	<b>79,276</b>	<b>76,717</b>

**Mr Allister** asked the Minister of Finance and Personnel what consideration is being given to an Executive wide review of the remuneration of board members to create linkage with actual attendance at board meetings and to end remuneration of members who fail to attend board meetings.

**(AQW 50771/11-16)**

**Mrs Foster:** DFP does not have responsibility for the policy surrounding when remuneration should, or should not, be paid to board members of public bodies.

**Mr Allister** asked the Minister of Finance and Personnel to detail the current cost of servicing the Executive's borrowings.

**(AQW 50772/11-16)**

**Mrs Foster:** The Executive's Budget 2015-16 showed estimated total interest of £57.5 million payable in 2015-16 in relation to RRI borrowing.

The actual interest paid in 2015-16 will depend on the amounts borrowed and the interest rates applicable at the time. This will be reported in Final Outturn and shown in the Public Income and Expenditure account.

**Ms Sugden** asked the Minister of Finance and Personnel to detail (i) the employment; (ii) the unemployment; and (iii) the economically inactive figures for each quarter of the last year for (a) Northern Ireland; and (b) each Council Area.

**(AQW 50802/11-16)**

**Mrs Foster:** Official estimates of employment, unemployment and economic inactivity are sourced from the Labour Force Survey (LFS). The LFS is a sample survey that is primarily designed to provide labour market information at the Northern Ireland level.

The attached tables 1 - 4 provide details of economic status (relating to those aged 16 or over) for Northern Ireland and where these are available, for each Council Area, for the last four quarters.

**Table 1: Labour market status (16+) by Council Area, October – December 2014**

	In employment	Unemployed	Economically inactive	Total
Antrim and Newtownabbey	64,000	*	43,000	107,000
Ards and North Down	71,000	*	58,000	131,000
Armagh, Banbridge and Craigavon	104,000	*	49,000	157,000
Belfast	133,000	10,000	116,000	259,000
Causeway Coast and Glens	64,000	*	47,000	116,000
Derry and Strabane	59,000	10,000	51,000	119,000
Fermanagh and Omagh	53,000	*	37,000	92,000
Lisburn and Castlereagh	62,000	*	47,000	112,000
Mid and East Antrim	60,000	*	45,000	109,000
Mid Ulster	66,000	*	40,000	111,000
Newry, Mourne and Down	78,000	*	46,000	129,000
Northern Ireland	812,000	50,000	580,000	1,441,000

\* Sample size is too small to provide a reliable estimate (less than a minimum quotation level of 8,000 persons).

**Table 2: Labour market status (16+) by Council Area, January – March 2015**

	In employment	Unemployed	Economically inactive	Total
Antrim and Newtownabbey	68,000	*	36,000	108,000
Ards and North Down	74,000	*	49,000	126,000
Armagh, Banbridge and Craigavon	98,000	*	58,000	162,000
Belfast	143,000	*	118,000	268,000
Causeway Coast and Glens	64,000	9,000	47,000	120,000
Derry and Strabane	56,000	9,000	54,000	120,000
Fermanagh and Omagh	55,000	*	30,000	87,000
Lisburn and Castlereagh	59,000	*	40,000	101,000
Mid and East Antrim	66,000	*	37,000	108,000
Mid Ulster	66,000	*	39,000	110,000
Newry, Mourne and Down	80,000	*	50,000	135,000
Northern Ireland	831,000	54,000	558,000	1,444,000

\* Sample size is too small to provide a reliable estimate (less than minimum quotation level of 8,000 persons).

**Table 3: Labour market status (16+) by Council Area, April – June 2015**

	In employment	Unemployed	Economically inactive	Total
Antrim and Newtownabbey	59,000	*	45,000	108,000
Ards and North Down	73,000	*	47,000	123,000
Armagh, Banbridge and Craigavon	101,000	*	56,000	162,000
Belfast	135,000	11,000	128,000	273,000
Causeway Coast and Glens	66,000	*	48,000	121,000
Derry and Strabane	62,000	*	44,000	113,000
Fermanagh and Omagh	56,000	*	29,000	87,000
Lisburn and Castlereagh	58,000	*	43,000	104,000
Mid and East Antrim	56,000	*	50,000	108,000
Mid Ulster	70,000	*	38,000	112,000
Newry, Mourne and Down	78,000	*	48,000	134,000
Northern Ireland	815,000	55,000	576,000	1,446,000

\* Sample size is too small to provide a reliable estimate (less than minimum quotation level of 8,000 persons).

**Table 4: Labour market status (16+) by Council Area, July – September 2015**

	In employment	Unemployed	Economically inactive	Total
Antrim and Newtownabbey	60,000	*	45,000	109,000
Ards and North Down	78,000	*	40,000	121,000
Armagh, Banbridge and Craigavon	97,000	*	68,000	170,000
Belfast	143,000	11,000	116,000	269,000
Causeway Coast and Glens	59,000	*	47,000	114,000
Derry and Strabane	58,000	9,000	45,000	111,000
Fermanagh and Omagh	53,000	*	37,000	91,000

	In employment	Unemployed	Economically inactive	Total
Lisburn and Castlereagh	65,000	*	40,000	108,000
Mid and East Antrim	57,000	*	55,000	112,000
Mid Ulster	72,000	*	34,000	109,000
Newry, Mourne and Down	76,000	*	49,000	132,000
Northern Ireland	819,000	52,000	576,000	1,447,000

\* Sample size is too small to provide a reliable estimate (less than minimum quotation level of 8,000 persons).

**Mr McCallister** asked the Minister of Finance and Personnel to detail what plans she has to act on the recommendations of the Northern Ireland Law Commission's Report on Land Law Reform, and specifically what plans she has to introduce the Draft Land Law Reform Bill (Northern Ireland).

(AQW 50832/11-16)

**Mrs Foster:** The position remains as stated in the response to AQW 44141/11-15.

**Ms Sugden** asked the Minister of Finance and Personnel for a list of the non-domestic rates relief schemes and exemptions which are currently available to assist rate payers.

(AQW 50932/11-16)

**Mrs Foster:** The reliefs and exemptions available to assist non-domestic ratepayers are the same schemes that I outlined in my answer to another recent question from you (AQW 49401/11-16).

These include Small Business Rate Relief, Small Business Rate Relief for Small Post Offices, Empty Shops Rates Concession, Charitable Exemption, Sports and Recreation Rate Relief, Residential Homes Rate Relief, Industrial Derating, Empty Premises Relief, Hardship Relief, Exemption for Rural ATMs and District Rates Convergence.

**Ms Sugden** asked the Minister of Finance and Personnel whether any businesses that submitted an appeal to their rates revaluation, following Reval2015, had their valuations increased as the outcome of their appeal.

(AQW 50933/11-16)

**Mrs Foster:** I can confirm that to date a small number of ratepayers who submitted an Application to the District Valuer following Revaluation 2015, have seen their properties' Net Annual Values (NAV) increase on completion of the case.

**Ms Sugden** asked the Minister of Finance and Personnel whether she will consider recalibrating the qualifying threshold for Small Business Rates Relief, following the revaluation of non-domestic rates from April 2015.

(AQW 50934/11-16)

**Mrs Foster:** I have no plans to recalibrate the scheme for those who fall outside the thresholds.

The NI Centre for Economic Policy (NICEP now UUCEP) in their evaluation of SBRR in 2014 recommended that the scheme should be retained in its current form for 2015/16, and that spend on the scheme should be capped. My predecessor extended the scheme for an additional year in its current form but did not favour capping the scheme which would have resulted in more ratepayers losing support. This contributed to a slight increase in the cost of the scheme this year in terms of revenue forgone.

NICEP also recommended that SBRR should be phased out as wider economic conditions improve. I am now working alongside the DSD Minister and DETI Minister, and am currently researching potential alternatives to the SBRR scheme to come into operation in line with any SBRR phase out.

While this research is being undertaken, subject to final Budget agreement, I am minded to continue the SBRR scheme for the 2016/17 year and would, subject to the final budget propose to take legislation through early in the New Year to extend the scheme.

I laid out the wide range of rate relief available to the non domestic sector, which includes those properties which may previously have been entitled for small business rate relief prior to April 2015 in my response to your AQW 50932/11-16.

**Ms Sugden** asked the Minister of Finance and Personnel what support her Department offers to businesses that received Small Business Rates Relief Scheme prior to the re-valuation of non-domestic rates in April 2015, but that now fall outside the threshold following the revaluation of their rates.

(AQW 50936/11-16)

**Mrs Foster:** I have no plans to recalibrate the scheme for those who fall outside the thresholds.

The NI Centre for Economic Policy (NICEP now UUCEP) in their evaluation of SBRR in 2014 recommended that the scheme should be retained in its current form for 2015/16, and that spend on the scheme should be capped. My predecessor extended

the scheme for an additional year in its current form but did not favour capping the scheme which would have resulted in more ratepayers losing support. This contributed to a slight increase in the cost of the scheme this year in terms of revenue forgone.

NICEP also recommended that SBRR should be phased out as wider economic conditions improve. I am now working alongside the DSD Minister and DETI Minister, and am currently researching potential alternatives to the SBRR scheme to come into operation in line with any SBRR phase out.

While this research is being undertaken, subject to final Budget agreement, I am minded to continue the SBRR scheme for the 2016/17 year and would, subject to the final budget propose to take legislation through early in the New Year to extend the scheme.

I laid out the wide range of rate relief available to the non domestic sector, which includes those properties which may previously have been entitled for small business rate relief prior to April 2015 in my response to your AQW 50932/11-16.

**Ms McGahan** asked the Minister of Finance and Personnel to detail the number of vacant domestic dwellings in the Electoral Areas which were included in the former Dungannon Borough Council.

**(AQW 51080/11-16)**

**Mrs Foster:** The numbers of vacant domestic dwellings in the Electoral Areas which were included in the former Dungannon Borough Council are shown in the table below.

Former District Electoral Area	Vacant Residential Properties at 31/10/2015
Blackwater	244
Clogher Valley	277
Dungannon Town	221
Torrent	246
<b>Total</b>	<b>988</b>

Since the introduction of the Rating of Empty Homes legislation on 1st October 2011, the rate liability for vacant domestic properties has been assessed at 100%. There is currently no requirement for ratepayers to inform Land & Property Services that their property is vacant, nor is there any financial advantage to doing so. As such, current information on the number of empty domestic properties may not be complete.

**Mr McKay** asked the Minister of Finance and Personnel what percentage of bars and restaurants in Ballycastle town received an increase in their rates this year of over 50 per cent as a result of the rates revaluation.

**(AQW 51194/11-16)**

**Mrs Foster:** The requested information has been compiled using the wards of Ballycastle and Kinbane as an approximate delineation of the town of Ballycastle. There are within this area, 16 bars including restaurants that have a full on-sales licence, and 14 restaurants that have a partial licence or no licence at all. Of these, 9(56%) of the bars and 2 (14%) of the restaurants had increases of over 50 per cent in their Net Annual Values (NAV) as a result of Revaluation 2015. This data is based solely on NAV and not rate bill. It therefore does not take into account the effect of Small Business Rate Relief, adjusted rate poundages, or eligibility for District Rate Convergence.

## Department of Health, Social Services and Public Safety

**Mr Dickson** asked the Minister of Health, Social Services and Public Safety to detail the average waiting times in each Health and Social Care Trust area for a routine ultrasound.

**(AQW 45657/11-15)**

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** Information on the Number of patients waiting, in weeks, and the average waiting time, for a routine ultrasound, in each Health and Social Care Trusts, is shown in the table overleaf.

**Number of patients waiting, in weeks, and the average waiting time, for a routine ultrasound, in each Health and Social Care Trusts**

HSC Trust1	Number of patients waiting, in weeks, for a routine ultrasound								Average waiting time in weeks
	0-3	>3-6	>6-9	>9-13	>13-21	>21-26	>26	Total Waiting	
Belfast	1,571	1,149	772	734	392	7	19	4,646	6.2
Northern	1,331	1,055	537	195	94	23	2	3,237	4.7

HSC Trust <sup>1</sup>	Number of patients waiting, in weeks, for a routine ultrasound							Total Waiting	Average waiting time in weeks
	0-3	>3-6	>6-9	>9-13	>13-21	>21-26	>26		
South Eastern	1,348	603	247	71	0	0	0	2,269	9
Southern	1,243	1,218	1,072	1,008	568	8	0	5,117	7
Western	1,107	332	30	0	0	0	0	1,469	4

**Source:** HSC Trusts

<sup>1</sup> Information from Trusts relates to those waiting during week commencing 26th October 2015.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for his assessment of the recent Northern Ireland Human Rights Commission's Inquiry into Emergency Healthcare.

**(AQW 46323/11-15)**

**Mr Hamilton:** In 2014 my predecessor commissioned the Regulation and Quality Improvement Authority (RQIA) to carry out a comprehensive review of emergency and unscheduled care. The RQIA published its report in July last year and my Department has implemented its recommendations through the work of the Unscheduled Care Task Group. The RQIA is the responsible statutory authority for assessing the quality of care provided by the HSC and not the Northern Ireland Human Rights Commission.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety what percentage of his budget is dedicated to treating diabetes and diabetes related ailments.

**(AQW 48421/11-16)**

**Mr Hamilton:** The full costs of treating diabetes and diabetes related ailments cut across the acute and community sectors, as well as Family Health Services. As such, these costs are not readily available and could only be provided at disproportionate cost.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety (i) for his assessment of the new junior doctors contract to be introduced in August 2016; and (ii) how this will impact on the health and wellbeing of both patients and doctors.

**(AQW 49845/11-16)**

**Mr Hamilton:** Our junior doctors deserve a contract which is fair to them and which recognises the key role they play in delivering services to the people of Northern Ireland. They are a highly valued part of our workforce and I pay tribute to their contribution. I have made clear that I have no desire whatsoever to impose a new contract on junior doctors. An imposed contract would be the worst possible outcome.

I do, however, have sympathy for the Department of Health's desire to improve the existing contract which everyone has agreed is not fit for purpose - but it is essential that we work with our staff to achieve it. Just as imposing a new contract is far from ideal, so too is maintaining a contract that is broadly regarded as being unsatisfactory.

I am fully committed to doing what is in the best interests of the people of Northern Ireland and that means I will not do anything that jeopardises patient safety and achieving the highest standard of care.

**Ms Ruane** asked the Minister of Health, Social Services and Public Safety how many local polio patients are being treated by orthopaedic services.

**(AQW 49993/11-16)**

**Mr Hamilton:** The information requested is not available and could only be provided at disproportionate cost.

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 49745/11-16, to detail (i) what support is available to local students that have to travel to England or Wales to undertake graduate entry courses in medicine; and (ii) the conditions that determine whether financial support is granted or denied to local students studying graduate entry courses in medicine in England or Wales.

**(AQW 50193/11-16)**

**Mr Hamilton:**

- (i) Northern Ireland students who travel to England and Wales to undertake graduate entry courses in medicine may be entitled only to a maintenance loan for living costs.
- (ii) Provision of finance for second degrees in Northern Ireland is set out in the Education (Student Support) (No.2) Regulations (Northern Ireland) 2009 (the Student Support Regulations). Regulations 20, 28 and 57, preclude access to other forms of financial assistance, such as fees loans or maintenance grants, for NI domiciled students who already hold a primary degree and who are undertaking a second degree in an institution within the United Kingdom.



**Mr Hussey** asked the Minister of Health, Social Services and Public Safety (i) whether payment arrears owed to fire officers due to a miscalculation of benefits will be paid with their December pension payment; and if not, (ii) what action is being taken to address this matter.

**(AQW 50279/11-16)**

**Mr Hamilton:** My Department is currently putting in place arrangements to make payments to the retired officers affected. I expect payments to issue early in 2016.

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety for an update on the provision of a full time Cath Lab at the Ulster Hospital.

**(AQW 50399/11-16)**

**Mr Hamilton:** The role of the current temporary cath lab sessions at the Ulster Hospital will be considered in 2016. This will take into account the need to build upon the strong specialist skills of the Ulster Hospital team in all cardiac imaging technologies, including cardiac CT.

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety to detail the number of social workers (i) employed by the Northern Health and Social Care Trust to work with children and adults with special needs or disabilities; and (ii) that the Northern Health and Social Care Trust (a) has in post; and (b) post that are vacant.

**(AQW 50424/11-16)**

**Mr Hamilton:** The information requested is shown in the table below.

Directorate	Current Staff in Post		Current Vacancies	
	Headcount	WTE	Headcount	WTE
Adults'	80	76	13	11.1
Children's	28	26	12	9.59
<b>Total</b>	<b>108</b>	<b>102</b>	<b>25</b>	<b>20.69</b>

**Source:** Northern Health and Social Care Trust

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on proposals for a Health Campus in Derry.

**(AQW 50483/11-16)**

**Mr Hamilton:** My response to your previous question, AQW 48334/11-15, remains unchanged.

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety when he first became aware of the staffing difficulties within the Southern Health and Social Care Trust in relation to the Emergency Department at Daisy Hill Hospital.

**(AQW 50484/11-16)**

**Mr Hamilton:** The Southern Health and Social Care Trust (SHSCT) advised the Department in May 2015 that it was experiencing difficulties in covering medical rotas in the Daisy Hill Hospital Emergency Department (ED) due to difficulties in recruiting middle grade doctors and securing regular locum cover.

I understand that the SHSCT is maintaining a weekly review of the position and is holding regular meetings with the HSCB and PHA.

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety to detail any discussions he has had with the Southern Health and Social Care Trust to discuss staff succession planning in relation to the (a) Downe Hospital; and (b) Daisy Hill Hospital in the last twelve months.

**(AQW 50486/11-16)**

**Mr Hamilton:** Staffing matters including succession planning are a matter for employers and are therefore the responsibility of the respective Health and Social Care Trusts.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the total number of school nurses employed in each Health and Social Care Trust, in each of the last five years.

**(AQW 50498/11-16)**

**Mr Hamilton:** The number of staff graded as school nurses by each Health and Social Care Trust is published annually as part of the HSC Workforce Census, available at <http://www.dhsspsni.gov.uk/index/statistics/workforce.htm>.

Figures from the last five editions, showing staffing at 31st March (excluding bank staff, staff with a WTE [whole-time equivalent] of less than or equal to 0.03 and members of staff on career breaks) are shown in the table below.

	Belfast HSC Trust		Northern HSC Trust		South Eastern HSC Trust		Southern HSC Trust		Western HSC Trust	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
2011	34	25.2	32	17.3	21	14.5	23	14.9	24	20.9
2012	31	22.5	31	17.0	25	17.5	25	15.6	22	19.0
2013	33	24.0	26	15.0	24	15.8	26	15.9	19	16.2
2014	31	23.5	24	16.4	20	13.9	29	19.4	21	18.5
2015	32	25.4	25	17.9	25	17.5	31	22.7	29	21.9

**Mr Ramsey** asked the Minister of Health, Social Services and Public Safety for an update on the Western Health and Social Care Trust's plans for the future of The Cottages Respite Care facility in Derry.

(AQW 50508/11-16)

**Mr Hamilton:** The Western Trust's Short Break Review Project Team is continuing its work to review the provision of residential short breaks for children with disabilities and their families. As part of this, families were notified in September 2015 that they will continue to benefit from service provision at the Cottages Respite Care facility.

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety what action he plans to take to reduce the waiting times for cystoscopies within the Western Health and Social Care Trust.

(AQW 50512/11-16)

**Mr Hamilton:** The Health and Social Care Board continues to work with the Western Health and Social Care Trust (the Trust) to ensure the full delivery of funded urology capacity and to address the increasing demand for urology services. The Trust has recently secured additional funding to put on additional cystoscopy sessions that will reduce the waiting times for all flexible cystoscopies before the end of March 2016.

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to detail (a) how data on heart failure is collected and collated; and (b) whether he intends to move towards data collection on patient outcomes relating to heart failure.

(AQW 50550/11-16)

**Mr Hamilton:** Information on patients admitted to HSC hospitals in Northern Ireland with a diagnosis of heart failure is collected via the Hospital Inpatient System (HIS). The HIS is a patient-level administrative data source which records information on patients admitted to acute hospitals as inpatients or day cases. Each record relates to an individual consultant episode and contains information on the primary diagnosis and up to fifteen secondary diagnoses for that episode. It is therefore possible to identify consultant episodes with a diagnosis of heart failure (defined using International Classification of Disease codes). During a single hospital admission, a patient may have more than one consultant episode if they are transferred from the care of one consultant to another.

These data are used for a wide range of purposes including informing the management of patient care and outcomes, target monitoring and policy development.

Heart failure is also one of the clinical domains in the Quality and Outcomes Framework (QOF), which was introduced in 2004 as part of the General Medical Services contract. The purpose of the QOF is to reward contractors for the provision of quality care and it helps to standardise improvements in the delivery of primary medical services. Contractor participation in QOF is voluntary. Whilst the primary purpose of QOF is concerned with contractor payments, the data collected is also used for secondary purposes.

In relation to heart failure, the contractor establishes and maintains two registers of patients with heart failure. The HF001 register includes all patients with a diagnosis of heart failure. The second register, which is a subset of register 1, is composed of patients with heart failure due to left ventricular systolic dysfunction. There are also three QOF indicators relating to the initial diagnosis and ongoing management of heart failure. They relate to:

- diagnosis of heart failure confirmed by a echocardiogram/ specialist assessment between 3 months before and 15 months after entering on to register
- patients with a current diagnosis of heart failure due to left ventricular systolic dysfunction who are currently treated with (i) an ACE-I or ARB
- and (ii) who are additionally currently treated with a beta-blocker licensed for heart failure

The Department is also currently conducting an analysis of the management of chronic conditions, including Heart Failure as part of its work on Integrated Care Pathways (ICPs).

The Heart Failure Pathway is one of the areas being considered by the Care Pathways Reform Project. As part of this work, a range of data available across the HSC on heart failure is being collated. The main focus for this pathway is on diagnosis and referral. Further clinical engagement is to be sought in the coming weeks via the regional Heart Failure Network to seek agreement on the starting point of the pathway development work.

The department continually reviews and refines the information available to it to inform policy development and to improve the outcomes for all patients including those with a diagnosis of heart failure.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety whether he has given any consideration to the introduction of a cardiac testing programme for the prevention of sudden cardiac death in young people.

**(AQW 50575/11-16)**

**Mr Hamilton:** The UK National Screening Committee (NSC), which advises the four UK Health Departments on all aspects of screening has considered screening for sudden cardiac death in the young. The most recent evidence review was considered at its meeting in June 2015 when they advised that screening should not be offered at present.

This is a complex issue, sudden cardiac death has many different causes and many of these causes are difficult to detect through screening. There is no single test that can pick up all these conditions and for some of the conditions implicated in sudden cardiac death there is no known or proven treatment.

I will continue to be guided by the expert advice provided by the National Screening Committee.

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail (i) the administrative costs of the Public Health Agency in each of the last three years; and (ii) for his assessment of whether this spending represents value for money.

**(AQW 50604/11-16)**

**Mr Hamilton:** The administrative costs of the Public Health Agency (PHA) are set out in the PHA's published annual accounts.

All HSC organisations are required to discharge their functions in the most economic, efficient and effective manner.

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety for an update on equipping cars used in emergencies with high visibility chevrons.

**(AQW 50621/11-16)**

**Mr Hamilton:** All new rapid response cars purchased by the Northern Ireland Fire and Rescue Service are liveried with high visibility chevrons.

**Ms Hanna** asked the Minister of Health, Social Services and Public Safety what action he is taking to address the disparities in pay received by NHS staff in Northern Ireland compared to the rest of the UK.

**(AQW 50679/11-16)**

**Mr Hamilton:** Decisions on the 2015/16 HSC Pay Award have not yet been made.

The Department is keen to progress discussions with HSC Trade Unions. These discussions will help inform its decisions

**Mr Frew** asked the Minister of Health, Social Services and Public Safety to detail the number of Speech and Language Therapists in the Northern Health and Social Care Trust.

**(AQW 50687/11-16)**

**Mr Hamilton:** At 30th June 2015, the Northern HSC Trust employed 117 (98.8 whole-time equivalent) Speech and Language Therapists. This figure excludes bank staff, members of staff with a whole-time equivalent of less than 0.03, and members of staff on career breaks.

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety (i) whether his Department is aware of any complaints in relation to the quantity, quality and nutritional value of food served to patients in some wards in the Belfast City Hospital; and if so (ii) to detail his Department's response to any complaint received.

**(AQW 50689/11-16)**

**Mr Hamilton:** The Belfast HSC Trust has advised that it received two formal complaints and two enquiries regarding catering at the Belfast City Hospital during 2014/15 and 2015/16. These have been followed up by the Trust in line with their complaints procedures.

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety to detail the meetings he has had with the British Medical Association over proposed changes to Junior Doctor contracts.

**(AQW 50706/11-16)**

**Mr Hamilton:** I met with the BMA 1st September 2015 and the Junior Doctors contract was discussed during this meeting. I have further agreed to meet with the NI Chair of the BMA (JDC) Dr Conan Castles to discuss this important issue. I have also instructed my officials to engage in informal discussions with the local BMA to identify and better understand the issues for post-graduate doctors and dentists in training in Northern Ireland and I am keen that these discussions continue.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 48294/11-16, to detail (i) why the information is not readily available; (ii) why the information could only be obtained at a disproportionate cost; and (iii) whether he will now answer the question that was originally asked.

**(AQW 50722/11-16)**

**Mr Hamilton:** Information at this level of detail is not held centrally and its extraction would involve a significant manual and time consuming exercise being undertaken across the Department and all of its Arms Length Bodies.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 50185/11-16, for a breakdown of the incidents for each year under each programme of care.

**(AQW 50739/11-16)**

**Mr Hamilton:** The HSC Board took over responsibility for the SAI system on 1 May 2010 and information on SAIs recorded by Programme of Care was collected from this date therefore information on Serious Adverse Incidents (SAIs) was not collected by Programme of Care for the period 1 January to 30 April 2010. The number of SAIs for each Trust, broken down by Programme of Care from 1 May 2010 is outlined in the table below.

Programme of Care by Calendar Year	BHSCT	NHSCT	SEHSCT	SHSCT	WHSCT	Total
2010*figures from 1 May 2010	37	29	25	33	22	146
Acute Services	9	4	2	4	6	25
Maternity and Child Health	2	0	0	1	0	3
Family and Childcare (inc CAMHS)	1	9	4	4	1	19
Elderly	2	4	0	0	3	9
Mental Health	21	10	19	18	9	77
Learning Disability	0	1	0	2	1	4
Physical Disability and Sensory Impairment	0	0	0	1	0	1
Health Promotion and Disease Prevention	1	0	0	3	0	4
Primary Health and Adult Community (includes GP's)	0	0	0	0	2	2
POC - Corporate Business / Other	1	1	0	0	0	2
2011	79	49	37	48	28	241
Acute Services	31	7	0	8	2	48
Maternity and Child Health	1	1	1	3	1	7
Family and Childcare (inc CAMHS)	8	6	2	9	0	25
Elderly	1	5	2	3	2	13
Mental Health	30	27	29	21	18	125
Learning Disability	1	1	3	4	2	11
Physical Disability and Sensory Impairment	1	0	0	0	0	1
Health Promotion and Disease Prevention	1	0	0	0	0	1
Primary Health and Adult Community (includes GP's)	0	0	0	0	1	1
POC - Corporate Business / Other	5	2	0	0	2	9
2012	77	63	47	41	36	264
Acute Services	31	14	5	6	2	58
Maternity and Child Health	3	1	1	3	5	13
Family and Childcare (inc CAMHS)	4	16	2	4	1	27

Programme of Care by Calendar Year	BHSCT	NHSCT	SEHSCT	SHSCT	WHSCT	Total
Elderly	2	5	3	3	5	18
Mental Health	29	20	34	22	21	126
Learning Disability	1	1	1	1	1	5
Physical Disability and Sensory Impairment	1	0	0	0	0	1
Health Promotion and Disease Prevention	0	0	0	1	0	1
POC - Corporate Business / Other	6	6	1	1	1	15
2013	84	129	57	57	53	380
Acute Services	29	40	14	7	9	99
Maternity and Child Health	21	9	5	7	6	48
Family and Childcare (inc CAMHS)	1	9	5	2	2	19
Elderly	1	20	6	9	3	39
Mental Health	26	40	24	28	26	144
Learning Disability	3	5	1	1	1	11
Physical Disability and Sensory Impairment	0	1	2	0	0	3
Primary Health and Adult Community (includes GP's)	1	1	0	3	0	5
POC - Corporate Business / Other	2	4	0	0	6	12
2014	181	188	112	144	102	727
Acute Services	47	50	25	30	38	190
Maternity and Child Health	101	19	14	23	24	181
Family and Childcare (inc CAMHS)	3	7	7	6	4	27
Elderly	1	56	3	49	10	119
Mental Health	18	36	58	33	22	167
Learning Disability	8	6	2	0	1	17
Physical Disability and Sensory Impairment	0	2	0	1	0	3
Primary Health and Adult Community (includes GP's)	0	2	0	0	0	2
POC - Corporate Business / Other	3	10	3	2	3	21
2015**figures to 30 September 2015	128	81	90	117	61	477
Acute Services	27	15	16	39	24	121
Maternity and Child Health	65	13	16	19	23	136
Family and Childcare (inc CAMHS)	9	17	2	5	0	33
Elderly	0	7	9	39	3	58
Mental Health	21	21	46	14	9	111
Learning Disability	3	5	0	0	1	9
POC - Corporate Business / Other	3	3	1	1	1	9
<b>Totals:</b>	<b>586</b>	<b>539</b>	<b>368</b>	<b>440</b>	<b>302</b>	<b>2235</b>

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 50185/11-16, for his assessment of the reasons behind each of the increases across each of the years.

**(AQW 50740/11-16)**



**Mr Hamilton:** There has been a considerable effort to raise awareness of the SAI procedure since it was first introduced and to encourage the reporting of incidents so that learning can be identified and shared in an open manner across HSC and a general upward trend in SAI reporting would therefore be anticipated and welcomed.

The most significant increase in the numbers of SAIs reported year on year was in 2013 and 2014 which can be attributed to the introduction of revised SAI guidance in October 2013 which required the mandatory reporting of all child deaths as an SAI.

There was also a marked increase in the number of SAIs in 2014 arising from falls resulting in severe to moderate harm. The rise in incident reports followed advice to prevent falls and increase awareness of the need to report some of these as SAIs.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) what independent assessments have taken place in relation to the Lifeline service; and (ii) the conclusions of any assessment.

**(AQW 50764/11-16)**

**Mr Hamilton:**

- (i) An independent review into the clinical performance of the Lifeline service provider was undertaken in 2013.
- (ii) The findings of the review highlighted best practice; areas requiring further development to enhance contract delivery; areas requiring further clarification before a decision could be made on future determinations; and areas of concern. An action plan was developed between the Public Health Agency (PHA) and the current service provider to address the issues raised within the review. An assurance was given to the PHA by the current provider that all actions had been addressed in October 2015.

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail the rationale behind replacing a Lifeline counsellor with call handlers that have not been trained in counselling.

**(AQW 50766/11-16)**

**Mr Hamilton:** This is one of the proposals on which the Public Health Agency is presently consulting in terms of a future model for the Lifeline service. The new model proposes separation of telephone helpline crisis support from follow-on support services.

The Agency is of the view that formal counselling qualifications are not required for a crisis telephone helpline role where follow-on support services are available that would include counselling. The function of the helpline would be to help the caller deal with the immediate emotional crisis, assess the risk of suicide, and refer or signpost the caller to the most appropriate service for their needs.

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety to detail what percentage of doctor on call response times fell within the Northern Health and Social Care Trust in each of the last three years,

**(AQW 50790/11-16)**

**Mr Hamilton:** GP Out-of-Hours Services in the Northern Health and Social Care Trust area are provided by Dalriada Urgent Care. There are 2 key performance indicators in respect of response times to patients: at least 90% of Urgent Calls within 20 minutes; and at least 90% of Routine Calls within 60 minutes.

Table 1 shows the percentage of responses to urgent and routine calls to Dalriada Urgent Care that have met these response times, in each of the last 3 complete financial years.

**Table 1 Dalriada Urgent care, performance against urgent and routine call response time targets**

Financial year	Urgent calls, % within 20 minutes	Routine calls, % within 60 minutes
2012/13	93.94%	93.69%
2013/14	94.29%	95.36%
2014/15	93.43%	89.90%

**Source:** Dalriada Urgent Care

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety when he intends to make a decision on the business case for the replacement of Cushendall fire station.

**(AQW 50797/11-16)**

**Mr Hamilton:** It is anticipated that a decision on the business case for a replacement fire station in Cushendall will be made in early 2016 .

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to detail (i) what targets have been set for Health and Social Care Trusts to help identify older carers; and (ii) whether any changes have been made to those targets in each of the last three years.

**(AQW 50798/11-16)**

**Mr Hamilton:** No targets have been set for Health and Social Care (HSC) Trusts regarding the identification of older carers.

The Carers and Direct Payments Act (NI) 2002 imposed a statutory duty on HSC Trusts to make information on the right to a carers assessment widely available, and to notify carers directly, where they become known to the Trust. Departmental Guidance Circular HSS (ECCU) 4/2006 requires that HSC Trust staff are particularly proactive in identifying the presence of older carers.

**Ms Sugden** asked the Minister of Health, Social Services and Public Safety to detail (i) how Health and Social Care Trusts inform carers of their entitlement to a carers assessment; (ii) how often assessments are required to be completed; (iii) the number of carers assessments that have been completed in the last twelve months; and (iv) the number of carers, broken down by Health and Social Care Trust.

**(AQW 50799/11-16)**

**Mr Hamilton:**

- (i) Where it appears to a Health and Social Care (HSC) Trust that an individual is carrying out a caring role, legislation requires that the Trust notify the individual of their right to request an assessment. In addition, HSC Trusts are required to make information regarding a carer's right to assessment widely available; this is achieved via the provision of targeted information on Trust websites, partnership arrangements with local pharmacies, GP surgeries and voluntary and community sector organisations, service wide communication strategies lead by the Carer Coordinator in each HSC Trust, and inclusion in staff training programmes to drive the improved identification of carers.
- (ii) Once an individual accepts the offer of a carers assessment, the assessment must be completed at a time and date suitable for the individual.
- (iii) From July 2014 to June 2015, there were 4,566 carers assessments accepted/completed in Northern Ireland. This information can be found published online on the DHSSPS website.
- (iv) The information requested is not available (previous AQW 46898/11-15 refers).

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to detail GP prescribing rates over the last three years.

**(AQW 50847/11-16)**

**Mr Hamilton:** The number of prescription forms and the number of prescription items, for which a prescription was written, dispensed by a community pharmacist, dispensing doctor or appliance supplier, and presented for payment in each of the last three calendar years, are shown in Table 1. Not all prescriptions issued are subsequently dispensed and presented for payment, so the number of prescriptions issued is not known centrally.

The figures shown are presented by the calendar year in which the prescription was paid to the pharmacist; it should be noted that there may be a time lag where prescriptions have been dispensed by the community pharmacist in a particular year but paid the following year. The data provided only covers drugs dispensed in primary care, as drugs prescribed and dispensed in hospital cannot be captured centrally due to the use of different hospital IT systems.

**Table1: Number of prescription forms and prescription items dispensed in each of the last three calendar years**

Calendar Year	Number of Prescription Forms	Number of Prescription Items
2012	21,424,191	37,841,141
2013	21,677,596	38,661,481
2014	22,235,510	39,687,529

**Source:** Family Practitioner Services, Information and Registration Unit, BSO.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the waiting times in relation to people with heart failure being diagnosed and accessing specialists in each Health and Social Care Trust.

**(AQW 50888/11-16)**

**Mr Hamilton:** My Department collects waiting times for a first consultant-led appointment. Reason for referral, or confirmed diagnosis, is not collected for patients waiting for a first consultant-led appointment. Therefore it is not possible to separately identify patients with heart failure waiting for a first appointment with a consultant cardiologist.

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the proportion of (i) hospital admissions; and (ii) inpatient bed days that patients with heart failure accounted for in (a) 2000-2001; (b) 2005-2006; (c) 2010-2011; and (d) 2014-2015.

**(AQW 50889/11-16)**

**Mr Hamilton:** Information is available on (i) the proportion of hospital admissions and (ii) the average number of occupied inpatient beds for patients admitted with a primary diagnosis of heart failure and is detailed in the following table;

Year	Percentage of hospital admissions	Average Occupied Beds
2000/01	0.7%	106.6
2005/06	0.6%	116.3
2010/11	0.5%	86.8
2014/15	0.6%	89.0

**Source:** Hospital Inpatient System

**Mr Easton** asked the Minister of Health, Social Services and Public Safety what steps he is taking to reduce bureaucracy in the Health Service.

**(AQW 50902/11-16)**

**Mr Hamilton:** I set out my intention to reduce bureaucracy in the Health Service during my recent speech on 4 November at the Leadership Conference in Ballymena. In my speech I announced the remodelling of the administrative structures of the Health and Social Care system through the abolition of the Health and Social Care Board and the transfer of responsibilities to either the Public Health Agency, local Trusts or into my Department.

Other initiatives underway include the reduction in the amount of GP paperwork through a reduction in the number of Quality Outcomes Framework (QOF) indicators to be completed, allowing GPs to spend more time with their patients, and the successful deployment of the Electronic Care Record that brings information together in one place for clinical staff avoiding unnecessary duplication of tests and investigations, to the benefit of the patient while reducing costs.

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for his assessment of the Marie Curie report titled Triggers for Palliative Care; and whether he will ensure (i) staff are aware of the local palliative care teams; (ii) that information about palliative care is provided to staff, patients and their families; and (iii) increased access and availability to palliative care for anyone that needs it, including people with multiple sclerosis, Parkinson's disease and acute strokes.

**(AQW 51025/11-16)**

**Mr Hamilton:** I welcome publication of the Marie Curie report 'Triggers for Palliative Care' and the important issues it has raised. My Department's palliative and end of life care strategy for adults, 'Living Matters:Dying Matters', was published in March 2010, with a vision that any person with an advanced, non-curative condition is supported to live well and die well irrespective of their condition or care setting. I am pleased that significant progress has been made in the implementation of the Strategy's recommendations to improve palliative and end of life care across Northern Ireland, including in a number of areas highlighted in the Marie Curie report.

The Strategy is also supported by the Transforming Your Palliative and End of Life Care (TYPELC) programme, currently being taken forward in partnership between the Health and Social Care Board, Public Health Agency and Marie Curie. The aim of the programme is to improve the design and delivery of co-ordinated services and enable people with palliative and end of life care needs to have choice in their preferred place of care, thereby improving access to and the quality of palliative and end of life care.

A number of initiatives are ongoing across Northern Ireland to improve palliative and end of life care through better information, education and service re-design. These include the provision of information and support services for patients, families and carers, and education and training in palliative and end of life care for staff working in health and social care. Palliative care service improvement leads within each Trust have supported raising awareness of palliative care services.

Identification and planning for people with palliative care needs has also been supported by the development of the End of Life Care Operational System (ELCOS) to identify people who have palliative and end of life care needs, irrespective of their condition, so that these needs can be appropriately assessed and managed.

Co-working between condition specific services, such as those for people with MS and Parkinson's disease, and palliative care specialists is already in place.

## Department of Justice

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 49783/11-16, whether this testing is a condition of residence; and what is the process in place for non-compliance.

**(AQW 50552/11-16)**

**Mr Ford (The Minister of Justice):** Alcohol and drug testing are conditions of residence for those offenders who have a court order or licence condition to submit to testing. In addition, other residents may be required by Approved Hostel staff to

undergo testing. Such testing will be carried out where hostel staff have a reasonable suspicion that a resident may be under the influence of a substance.

Where a test result indicates the presence of a substance, or a resident refuses to submit to testing, this non-compliance will be notified by hostel staff to the supervising Probation Officer. The Probation Board will decide on a case by case basis what enforcement action is necessary in relation to non-compliance.

**Lord Morrow** asked the Minister of Justice (i) how many judicial reviews were taken against the Prison Service by separated prisoners in each of the last five financial years; (ii) how many were dismissed; (iii) how many were upheld; and (iv) what was the cumulative legal aid costs in each financial year.

**(AQW 50659/11-16)**

**Mr Ford:**

Year	No Taken	Dismissed	Upheld	Withdrawn	Ongoing	Leave not granted by Court
11/12	8	1	1	6		
12/13	1		1			
13/14	4	2		2		
14/15	7	4	1	1		1
15/16 to date	9	3	1	2	3	
<b>Total</b>	<b>29</b>	<b>10</b>	<b>4</b>	<b>11</b>	<b>3</b>	<b>1</b>

In relation to part (iv) I will write to you to provide the cumulative legal aid costs when I receive them.

**Mr Ó Muilleoir** asked the Minister of Justice how many children under the age of 18 have been admitted to Woodlands Juvenile Justice Centre under the Police and Criminal Evidence (Northern Ireland) Order 1989 in the last year; and for an outline of the efforts that are being made to ensure that such children are not detained within the Juvenile Justice Centre inappropriately.

**(AQW 50671/11-16)**

**Mr Ford:** During 2014/15 there were 233 Police and Criminal Evidence (Northern Ireland) Order (PACE) admissions to Woodlands JJC involving 130 individual children.

This is a priority issue for the current Scoping Study of Children in the Youth Justice System as the large number of admissions to Woodlands under PACE runs contrary to the principle of custody as a last resort.

The Scoping Study is examining a range of options to address the use of PACE and the current bail legislation, with a view to ensuring more children can be released and supported to remain on bail.

**Mr Ó Muilleoir** asked the Minister of Justice how many children under the age of 18 have been admitted to Woodlands Juvenile Justice Centre under the Police and Criminal Evidence (Northern Ireland) Order 1989 in the last year as a result of the absence of a suitable alternative bail address.

**(AQW 50672/11-16)**

**Mr Ford:** When a young person is admitted to the Juvenile Justice Centre, the information contained on the Police and Criminal Evidence Order admission form is recorded centrally. It is not always the case, however, that absence of suitable alternative accommodation, or a bail address, is highlighted but this is something that my officials are examining in conjunction with the PSNI.

**Mr Ó Muilleoir** asked the Minister of Justice how many Looked After children under the age of 18 have been admitted to Woodlands Juvenile Justice Centre under the Police and Criminal Evidence (Northern Ireland) Order 1989 in the last year.

**(AQW 50673/11-16)**

**Mr Ford:** During 2014/15 there were 93 Police and Criminal Evidence (Northern Ireland) Order admissions to the Juvenile Justice Centre that related to Looked After Children, involving 50 individual children.

**Mr Ó Muilleoir** asked the Minister of Justice how many Looked After children under the age of 18 have been admitted to Woodlands Juvenile Justice Centre under the Police and Criminal Evidence (Northern Ireland) Order 1989 in the last year as a result of the absence of a suitable alternative bail address.

**(AQW 50674/11-16)**

**Mr Ford:** When a young person is admitted to the Juvenile Justice Centre, the information contained on the Police and Criminal Evidence Order admission form is recorded centrally. However, it is not always the case that the absence of suitable alternative accommodation, or a bail address, is highlighted. This is something that my officials are examining in conjunction with the PSNI.

**Mr Ó Muilleoir** asked the Minister of Justice for his assessment of the number of children under the age of 18 coming into contact with the criminal justice system that have a mental health concern.

**(AQW 50675/11-16)**

**Mr Ford:** Concerns about Mental Health are common in terms of the children who become known to the Youth Justice Agency. The Agency works in partnership with Child and Adolescent Mental Health Services (CAMHS) colleagues and all other relevant agencies, both in the community and in custody, to ensure the best package of support is available to children who require it.

Due to the complex needs of many of the children in contact with the criminal justice system, it is not possible to provide a single figure for those with mental health concerns. However, currently 21% of Youth Justice Agency cases in the community are known to CAMHS, although some children may disengage with the service, or refuse to attend entirely.

In recent months, the proportion of children in the Juvenile Justice Centre with mental health concerns has fluctuated between 45% and 64%.

**Mr Allister** asked the Minister of Justice how many fires there have been in prisons in the last five years.

**(AQW 50695/11-16)**

**Mr Ford:** There have been 142 malicious and 17 accidental fires in prisons in the last five years.

**Mr Allister** asked the Minister of Justice to list the occasions and types of illegal drugs seized in prisons over the last two years.

**(AQW 50696/11-16)**

**Mr Ford:** The table below sets out the number of occasions and the types of illegal drugs seized in prisons in the last two years.

Prescription Drugs	Incidents of finds 2014	Incidents of finds 2015	Illegal Drugs	Incidents of finds 2014	Incidents of finds 2015
Unnamed	24	16	Cannabinoid	71	38
Co-codamol tablets	5	4	Cocaine	5	1
Codeine	2	0	Herbal cannabis	24	19
Diazepam	4	0	Heroin and morphine mix	1	0
Fluoxetine	3	0	Morphine	0	1
K 100	1	0	Opiates	5	2
Kapake	1	2	Unidentified tablets	127	87
Lansoprazole	1	0	Steroids	4	2
Lofexidine	1	0	Benzodiazapine	1	2
Mirtazapine	15	3	Barbiturates/ketamine	1	0
Morphine patches	2	1	Amphetamines	1	0
Naproxen	3	1	MDMA	1	0
Olanzapine	0	2			
Paracetamol	3	2			
Pregablin	15	9			
Propranol	3	0			
Quetiapine	4	1			
Seroquel	2	0			
Sertraline	1	0			



Prescription Drugs	Incidents of finds 2014	Incidents of finds 2015	Illegal Drugs	Incidents of finds 2014	Incidents of finds 2015
Subutex	2	0			
T100 tablets	1	0			
T150 tablets	1	1			
T400 tablets	0	2			
Tamazepam	0	1			
Tetracycline	4	0			
Tramadol	3	7			
Zolpiden	2	0			
Methanacardamol	0	1			
Amphetamines	1	1			
Antibiotics	0	1			
Ibuprofen	1	0			
Loratinide	0	1			
Spasmonal	0	1			
Sleeping tablets	2	0			

**Mr Easton** asked the Minister of Justice how much funding his Department allocated to the Prisoner Ombudsman in the last financial year.

(AQW 50719/11-16)

**Mr Ford:** The Resource and Capital Departmental Expenditure Limit (DEL) budgets allocated by my Department to the Prisoner Ombudsman, Police Rehabilitation and Retraining Trust, Office of the Police Ombudsman Northern Ireland, RUC George Cross Foundation and NSPCC during the 2014-15 financial year is shown in the table below:

**Departmental Expenditure Limit (DEL) Budget 2014-15**

£k

	Resource DEL	Capital DEL
Prisoner Ombudsman	582	0
Police Rehabilitation and Retraining Trust	2,008	68
Office of the Police Ombudsman NI	9,265	120
RUC George Cross Foundation	147	100
NSPCC*	424	0

\* The NSPCC is an independent Voluntary Body that receives grant funding from my Department.

**Mr Easton** asked the Minister of Justice how much funding his Department allocated to the Police Rehabilitation and Retraining Trust in the last financial year.

(AQW 50724/11-16)

**Mr Ford:** The Resource and Capital Departmental Expenditure Limit (DEL) budgets allocated by my Department to the Prisoner Ombudsman, Police Rehabilitation and Retraining Trust, Office of the Police Ombudsman Northern Ireland, RUC George Cross Foundation and NSPCC during the 2014-15 financial year is shown in the table below:

**Departmental Expenditure Limit (DEL) Budget 2014-15**

£k

	Resource DEL	Capital DEL
Prisoner Ombudsman	582	0
Police Rehabilitation and Retraining Trust	2,008	68

	Resource DEL	Capital DEL
Office of the Police Ombudsman NI	9,265	120
RUC George Cross Foundation	147	100
NSPCC*	424	0

\* The NSPCC is an independent Voluntary Body that receives grant funding from my Department.

**Mr Easton** asked the Minister of Justice how much funding his Department allocated to the NSPCC in the last financial year.  
(AQW 50726/11-16)

**Mr Ford:** The Resource and Capital Departmental Expenditure Limit (DEL) budgets allocated by my Department to the Prisoner Ombudsman, Police Rehabilitation and Retraining Trust, Office of the Police Ombudsman Northern Ireland, RUC George Cross Foundation and NSPCC during the 2014-15 financial year is shown in the table below:

Departmental Expenditure Limit (DEL) Budget 2014-15		£k
	Resource DEL	Capital DEL
Prisoner Ombudsman	582	0
Police Rehabilitation and Retraining Trust	2,008	68
Office of the Police Ombudsman NI	9,265	120
RUC George Cross Foundation	147	100
NSPCC*	424	0

\* The NSPCC is an independent Voluntary Body that receives grant funding from my Department.

**Mr Easton** asked the Minister of Justice how much funding his Department allocated to the Office of the Police Ombudsman in the last financial year.  
(AQW 50727/11-16)

**Mr Ford:** The Resource and Capital Departmental Expenditure Limit (DEL) budgets allocated by my Department to the Prisoner Ombudsman, Police Rehabilitation and Retraining Trust, Office of the Police Ombudsman Northern Ireland, RUC George Cross Foundation and NSPCC during the 2014-15 financial year is shown in the table below:

Departmental Expenditure Limit (DEL) Budget 2014-15		£k
	Resource DEL	Capital DEL
Prisoner Ombudsman	582	0
Police Rehabilitation and Retraining Trust	2,008	68
Office of the Police Ombudsman NI	9,265	120
RUC George Cross Foundation	147	100
NSPCC*	424	0

\* The NSPCC is an independent Voluntary Body that receives grant funding from my Department.

**Mr McKay** asked the Minister of Justice what actions his Department has taken to improve uptake of the cycle to work scheme.  
(AQW 50728/11-16)

**Mr Ford:** The Cycle to Work Scheme is now an established NICS wide scheme and continues as an open ended scheme which has been available to all Civil Servants since February 2013.

As part of my Department's Wellbeing Programme, information on the scheme is available to all staff on the Departmental intranet and highlighted at various Departmental wellbeing events such as the Road to Health event.

**Mr Easton** asked the Minister of Justice how much funding his Department allocated to the RUC George Cross Foundation in the last financial year.

**(AQW 50729/11-16)**

**Mr Ford:** The Resource and Capital Departmental Expenditure Limit (DEL) budgets allocated by my Department to the Prisoner Ombudsman, Police Rehabilitation and Retraining Trust, Office of the Police Ombudsman Northern Ireland, RUC George Cross Foundation and NSPCC during the 2014-15 financial year is shown in the table below:

**Departmental Expenditure Limit (DEL) Budget 2014-15**

**£k**

	<b>Resource DEL</b>	<b>Capital DEL</b>
Prisoner Ombudsman	582	0
Police Rehabilitation and Retraining Trust	2,008	68
Office of the Police Ombudsman NI	9,265	120
RUC George Cross Foundation	147	100
NSPCC*	424	0

\* The NSPCC is an independent Voluntary Body that receives grant funding from my Department.

**Mr Ó Muilleoir** asked the Minister of Justice how many children under the age of 18 in Woodlands Juvenile Justice Centre have a mental health concern or have a history of mental health needs.

**(AQW 50731/11-16)**

**Mr Ford:** Concerns about Mental Health are common in terms of the children who become known to the Youth Justice Agency. The Agency works in partnership with Child and Adolescent Mental Health Services (CAMHS) colleagues and all other relevant agencies, both in the community and in custody, to ensure the best package of support is available to children who require it.

Due to the complex needs of many of the children in contact with the criminal justice system, it is not possible to provide a single figure for those with mental health concerns. However, currently 21% of Youth Justice Agency cases in the community are known to CAMHS, although some children may disengage with the service, or refuse to attend entirely.

In recent months, the proportion of children in the Juvenile Justice Centre with mental health concerns has fluctuated between 45% and 64%.

**Lord Morrow** asked the Minister of Justice, in relation to paragraph 2.45 of the Inspectorate report into the unannounced inspection of Maghaberry Prison, what action (i) has been taken; and (ii) will be taken to ensure the complaints system is no longer abused.

**(AQW 50735/11-16)**

**Mr Ford:** There is currently a review of the complaints system taking place. The views of all stakeholders, including prisoners, have been sought with the aim of improving the administration of the system.

**Lord Morrow** asked the Minister of Justice what was the cost of each of the three most expensive Judicial Reviews funded by legal aid in (i) 2013-14; and (ii) 2014-15; and whether each review was successful.

**(AQW 50741/11-16)**

**Mr Ford:** The tables below indicate the three highest value payments made in 2013-14 and 2014-15 in respect of a legal aid certificate granted for Judicial Review proceedings.

**2013 - 2014**

<b>Case Result</b>	<b>Total Payment</b>
Unsuccessful	£170,494.28
Successful	£68,044.89
Unsuccessful	£52,646.97

**2014 - 2015**

<b>Case Result</b>	<b>Total Payment</b>
Unsuccessful	£134,934.23
Withdrawn	£112,478.29

Case Result	Total Payment
Unsuccessful	£66,257.19

Certificates granted in one year will not necessarily result in payment being made in the same financial year. There is often a time span of several years between certificates being granted and payments being made.

Total costs include VAT (where applicable), costs of solicitor, counsel and disbursements.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 50180/11-16, whether there is any link between staff restructuring and the reduction in executed warrants.

**(AQW 50780/11-16)**

**Mr Ford:** The management of police officers is a matter for the Chief Constable. I am committed to respecting the operational independence of the Chief Constable. You may therefore wish to direct your question to the PSNI.

**Lord Morrow** asked the Minister of Justice (i) on what date the most recent tender for provision of security services for the Courts and Tribunal Service was (a) advertised; and (b) awarded; (ii) what is the duration of contract; (iii) how many companies tendered; and (iv) which company was successful.

**(AQW 50782/11-16)**

**Mr Ford:** The most recent tender for the provision of security services for the Northern Ireland Courts and Tribunal Service was advertised on 18 December 2010 and awarded on 30 March 2012. The current contract is for a three year term with the option to extend for two further years. Twelve submissions were received at Pre-Qualification Questionnaire stage, shortlisted to five at the tender stage and the successful company was G4S Secure Solutions (UK) Limited.

**Mr Easton** asked the Minister of Justice how much funding his Department allocated to the Police Service of Northern Ireland in the last financial year.

**(AQW 50791/11-16)**

**Mr Ford:** The Resource and Capital Departmental Expenditure Limit (DEL) budgets allocated by my Department to the Police Service of Northern Ireland, Northern Ireland Police Fund and Northern Ireland Courts and Tribunals Service during the 2014-15 financial year is shown in the table below:

Departmental Expenditure Limit (DEL) Budget 2014-15		£k
	Resource DEL	Capital DEL
Police Service of Northern Ireland*	760,817	34,024
Northern Ireland Police Fund	1,627	0
Northern Ireland Courts and Tribunals Service	47,408	2,041

\* This includes a funding stream that was allocated by HM Treasury to PSNI via the Department of Justice for national security funding.

The Organised Crime Task Force (OCTF) is a multi-agency partnership which includes a number of Northern Ireland Government Departments, law enforcement agencies, the Public Prosecution Service, Policing Board, the business community and the community at large.

No funding is allocated to the OCTF. Each member body funds its own involvement. My Department provides secretariat support and some support activities such as printed materials, event coordination and planning.

**Mr Easton** asked the Minister of Justice how much funding his Department allocated to the Organised Crime Task Force in the last financial year.

**(AQW 50792/11-16)**

**Mr Ford:** The Resource and Capital Departmental Expenditure Limit (DEL) budgets allocated by my Department to the Police Service of Northern Ireland, Northern Ireland Police Fund and Northern Ireland Courts and Tribunals Service during the 2014-15 financial year is shown in the table below:

Departmental Expenditure Limit (DEL) Budget 2014-15		£k
	Resource DEL	Capital DEL
Police Service of Northern Ireland*	760,817	34,024

	Resource DEL	Capital DEL
Northern Ireland Police Fund	1,627	0
Northern Ireland Courts and Tribunals Service	47,408	2,041

\* This includes a funding stream that was allocated by HM Treasury to PSNI via the Department of Justice for national security funding.

The Organised Crime Task Force (OCTF) is a multi-agency partnership which includes a number of Northern Ireland Government Departments, law enforcement agencies, the Public Prosecution Service, Policing Board, the business community and the community at large.

No funding is allocated to the OCTF. Each member body funds its own involvement. My Department provides secretariat support and some support activities such as printed materials, event coordination and planning.

**Mr Easton** asked the Minister of Justice how much funding his Department allocated to the Northern Ireland Police Fund in the last financial year.

**(AQW 50793/11-16)**

**Mr Ford:** The Resource and Capital Departmental Expenditure Limit (DEL) budgets allocated by my Department to the Police Service of Northern Ireland, Northern Ireland Police Fund and Northern Ireland Courts and Tribunals Service during the 2014-15 financial year is shown in the table below:

**Departmental Expenditure Limit (DEL) Budget 2014-15** **£k**

	Resource DEL	Capital DEL
Police Service of Northern Ireland*	760,817	34,024
Northern Ireland Police Fund	1,627	0
Northern Ireland Courts and Tribunals Service	47,408	2,041

\* This includes a funding stream that was allocated by HM Treasury to PSNI via the Department of Justice for national security funding.

The Organised Crime Task Force (OCTF) is a multi-agency partnership which includes a number of Northern Ireland Government Departments, law enforcement agencies, the Public Prosecution Service, Policing Board, the business community and the community at large.

No funding is allocated to the OCTF. Each member body funds its own involvement. My Department provides secretariat support and some support activities such as printed materials, event coordination and planning.

**Mr Easton** asked the Minister of Justice how much funding his Department allocated to the Courts and Tribunals Service in the last financial year.

**(AQW 50794/11-16)**

**Mr Ford:** The Resource and Capital Departmental Expenditure Limit (DEL) budgets allocated by my Department to the Police Service of Northern Ireland, Northern Ireland Police Fund and Northern Ireland Courts and Tribunals Service during the 2014-15 financial year is shown in the table below:

**Departmental Expenditure Limit (DEL) Budget 2014-15** **£k**

	Resource DEL	Capital DEL
<b>Police Service of Northern Ireland*</b>	760,817	34,024
Northern Ireland Police Fund	1,627	0
Northern Ireland Courts and Tribunals Service	47,408	2,041

\* This includes a funding stream that was allocated by HM Treasury to PSNI via the Department of Justice for national security funding.

The Organised Crime Task Force (OCTF) is a multi-agency partnership which includes a number of Northern Ireland Government Departments, law enforcement agencies, the Public Prosecution Service, Policing Board, the business community and the community at large.



No funding is allocated to the OCTF. Each member body funds its own involvement. My Department provides secretariat support and some support activities such as printed materials, event coordination and planning.

**Lord Morrow** asked the Minister of Justice (i) on what date was a decision taken to contact local government staff offering applications for posts in the Prison Service; (ii) on what date was contact initiated; and (iii) by what means.

**(AQW 50834/11-16)**

**Mr Ford:** The decision to inform local councils of vacancies within the Northern Ireland Prison Service was originally taken in March 2013. This action is part of the NIPS Engagement Strategy to encourage applications from all sections of the Northern Ireland community. Through this form of action it is hoped that council representatives will advise those with whom they have contact of this employment opportunity.

Contact with councils for the current recruitment competition for Custody Prison Officers and Night Custody Officers was initiated on 30 October 2015.

Details of the job advertisement were emailed to the council offices.

**Lord Morrow** asked the Minister of Justice, in relation to the report on the unannounced inspection of Maghaberry Prison 11–22 May 2015, why contrary to assurances of progress, the Supporting Prisoners at Risk system remains weak as described in the safety section, S1, of the executive summary.

**(AQW 50836/11-16)**

**Mr Ford:** The review of the Suicide and Self Harm Prevention Policy was concluded in May 2015 and circulated for consultation.

The inspection of Maghaberry Prison took place when the policy review was still being carried out. The consultation process is now complete and consideration is being given as to how best to introduce the new policy.

**Mr Weir** asked the Minister of Justice what impact the proposed changes to legal aid will have on civil cases involving domestic violence.

**(AQW 50845/11-16)**

**Mr Ford:** The proposed changes to Legal Aid will have no impact on civil cases involving domestic violence, including the individual's right to apply for the protection of a non-molestation order.

**Mr Easton** asked the Minister of Justice how much funding his Department allocated to Access NI in the last financial year.

**(AQW 50858/11-16)**

**Mr Ford:** AccessNI operates on a cost recovery basis. The cost of running AccessNI is offset against the fees it charges for processing disclosure checks. In 2014/15, the cost of operations in AccessNI was £3,001,000, plus £157,000 in depreciation charges. The income generated from fees was £2,895,000. Therefore £263,000 was allocated by my Department to meet the cost of AccessNI.

**Mr Easton** asked the Minister of Justice how many staff work in Access NI.

**(AQW 50861/11-16)**

**Mr Ford:** There are currently 45 staff working in AccessNI; equivalent to 40.4 full time posts. By 2017, this is expected to reduce to 29.6 full time equivalent posts because of the introduction of on-line checks, an update service and more efficient working process.

**Mr Easton** asked the Minister of Justice how many Access NI applications are waiting to be processed.

**(AQW 50862/11-16)**

**Mr Ford:** At present, applications arriving in AccessNI are usually processed on that, or the following working day. In respect of Enhanced checks however, approximately 27% of these are referred to PSNI or other UK police forces in line with the relevant legislation for them to conduct their own checks. AccessNI, with the assistance of PSNI and other forces, is exceeding its published targets for all types of applications as set out below;

**For applications received in September 2015:**

Application	Target	Achieved
Basic	95% within 14 days	99.8%
Standard	95% within 14 days	98.8%
Enhanced	70% within 14 days	95.2% within 14 days
	90% within 28 days	98.2% within 28 days

**Mr McNarry** asked the Minister of Justice to detail the re-offending figures for prisoners released in Northern Ireland convicted of (i) rape; (ii) sexual offences other than rape; (iii) paedophilia; (iv) burglary; (v) supply of drugs; (vi) people trafficking; (vii) drink driving; (viii) armed robbery; (ix) membership of a proscribed organisation; (x) child abuse; (xi) drug possession; (xii) theft; (xiii) money laundering; and (xiv) violent crimes.

**(AQW 50863/11-16)**

**Mr Ford:** The Department of Justice publishes one year proven reoffending rates for offenders who received a non-custodial disposal at court, or a diversionary disposal, or were released from custody within a given financial year.

The information provided is based on the latest published figures which relate to the 2012/13 cohort and, as requested, relate solely to those released from custody. This includes 1,624 offenders, of whom 760 (46.8%) reoffended within one year of release.

For the purposes of answering this question, the reoffending rate is calculated from the first date on which an offender is released from custody per offence category. Each offender is counted only once per category. However, it should be noted that, in the information provided, a single offender may be counted within several categories. This is a result of both the approach to calculating the reoffending rate and the natural overlap between the offence categories requested.

(i) Rape;

The 2012/13 cohort included 13 offenders released from custody following a conviction for rape. Of these, one reoffended within the one year observational period following release.

(ii) Sexual Offences other than Rape;

The 2012/13 cohort included 64 offenders released from custody following a conviction for sexual offences other than rape. Of these, six (9.4%) reoffended within the one year observational period following release.

(iii) Paedophilia;

Offender information available for reoffending analysis does not specify if an offender is a 'paedophile', nor does it include information on the age of the victim or provide details of the circumstances of the offence.

Information has, therefore, been provided on those who have committed a sexual offence that identifies the age of the victim as a young person under 18 within the wording of the offence. It should be noted this is a proxy and may not include all offenders who have committed sexual offences against young people.

The 2012/13 cohort included 55 offenders released following a conviction for identifiable sexual offences against young people. Of these, five (9.1%) reoffended within the one year observational period following release.

(iv) Burglary;

The 2012/13 cohort included 204 offenders released from custody following a conviction for burglary offences. Of these, 129 (63.2%) reoffended within the one year observational period following release.

(v) Supply of Drugs;

The 2012/13 cohort included 28 offenders released from custody following a conviction for supply of drugs offences. Of these, eight reoffended within the one year observational period following release.

(vi) People Trafficking;

The 2012/13 cohort did not include any offenders released from custody following a conviction for people trafficking.

(vii) Drink Driving;

The 2012/13 cohort included 73 offenders released from custody following a conviction for drink driving offences. Of these, 40 (54.8%) reoffended within the one year observational period following release.

(viii) Armed Robbery;

Available offence information does not enable a distinction between armed robbery and robbery offences. The 2012/13 cohort included 117 offenders released from custody following a conviction for robbery offences. Of these, 50 (42.7%) reoffended within the one year observational period following release.

(ix) Membership of a Proscribed Organisation;

The 2012/13 cohort included less than five offenders released from custody following a conviction membership of a proscribed organisation, none of whom reoffended within the one year observational period following release.

(x) Child Abuse;

Information available for reoffending analysis does not include information on the age of the victim or provide details of the circumstances of the offence.

Therefore, information has been provided in relation to those who have committed a violent or sexual offence that identifies the age of the victim as a young person under 18 within the wording of the offence. It should be noted this is a proxy and may not include all offenders who have committed such offences against young people.

The 2012/13 cohort included 88 offenders released from custody following a conviction for violent or sexual offences against young people. Of these, 19 (21.6%) reoffended within the one year observational period following release.

(xi) Drug Possession;

The 2012/13 cohort included 215 offenders released from custody following a conviction for drug possession offences. Of these, 109 (50.7%) reoffended within the one year observational period following release.

(xii) Theft;

The 2012/13 cohort included 412 offenders released from custody following a conviction for theft offences. Of these, 260 (63.1%) reoffended within the one year observational period following release.

(xiii) Money Laundering;

The 2012/13 cohort did not include any offenders released from custody following a conviction for money laundering.

(xiv) Violent Crimes

For the purposes of this question, violent crimes have been interpreted as offences which are included in the 'Violence Against the Person' offence category currently in use within the Department of Justice.

The 2012/13 cohort included 745 offenders released from custody following a conviction for Violence Against the Person offences. Of these, 371 (49.8%) reoffended within the one year observational period following release.

**Note:**

- 1 The methodology used to calculate reoffending rates has been published on the DOJ website.
- 2 Where the denominator is less than 50 a reoffending rate expressed as a percentage is not shown.
- 3 Where the number of offenders in a category is less than five people, the exact number will not be given to avoid identification.

**Lord Morrow** asked the Minister of Justice, in relation to the report on the unannounced inspection of Maghaberry Prison 11–22 May 2015, how many prison adjudications were commenced in each of the last three financial years; and of these how many were (i) upheld; (ii) dismissed on evidence; and (iii) dismissed having timed out.

**(AQW 50910/11-16)**

**Mr Ford:** The following table provides a breakdown of all adjudications held, during the last three financial years.

	Apr 12 – Mar 13	Apr 13 – Mar 14	Apr 14 – Mar 15
Guilty	1256	1862	1856
Not Guilty	108	158	159
Dismissed	16	10	40
Withdrawn	277	340	513

**Lord Morrow** asked the Minister of Justice which prison facility holds, or is equipped to hold, remand or sentenced prisoners who are regarded as criminally psychopathic but not of diminished responsibility.

**(AQW 50911/11-16)**

**Mr Ford:** Maghaberry prison has a landing located within Quoile House to accommodate both remand and sentenced prisoners who are considered to be vulnerable or at risk of self-injury. This landing is staffed by prison officers and supported by Healthcare staff employed by South Eastern Trust.

Prisoners with serious mental health illness would be assessed by the Mental Health Team and depending on the diagnosis those identified to have a mental illness may be transferred to an external psychiatric facility. There is no inpatient facility currently in any Northern Ireland prison.

**Mrs Hale** asked the Minister of Justice what is the rate of recidivism of people convicted of paramilitary activity.

**(AQW 50931/11-16)**

**Mr Ford:** My Department annually publishes the one year proven reoffending rate for offenders who received a non-custodial disposal at court, a diversionary disposal or were released from custody. The information provided is based on the latest published figures which relate to the 2012/13 cohort.

Information available for reoffending analysis does not specify if an offender has engaged in paramilitary activity, nor does it provide details of the circumstances of the offence. However, as an alternative, information has been provided on all those who have committed an offence that falls under terrorism legislation or identifies 'terrorism' or 'paramilitary activity' within the wording of the offence.

The 2012/13 cohort included nine offenders convicted for such offences, of whom one reoffended within the one year observational period following receipt of a non-custodial disposal at court, a diversionary disposal or release from custody. It should be noted this is a proxy and may not include all offenders who have engaged in offences related to paramilitary activity.

**Notes:**

- 4 The methodology used to calculate reoffending rates has been published on the DOJ website.
- 5 Where the denominator is less than 50 a reoffending rate expressed as a percentage is not shown.

**Mr McKay** asked the Minister of Justice to detail what additional cycling and cycle parking facilities have been provided (i) to departmental staff; and (ii) outside departmental buildings to increase the uptake of cycling.  
(AQW 50952/11-16)

**Mr Ford:** My Department has not provided any additional cycling and cycle parking facilities. However, my Department has an agreement in place with the Northern Ireland Civil Service Sports Association, whereby staff based on the Stormont Estate who cycle to and from work can avail of shower facilities at the Pavilion free of charge.

**Mr Rogers** asked the Minister of Justice for a breakdown of the gender balance on each of his Department's publicly appointed boards and arm's-length bodies.  
(AQW 50955/11-16)

**Mr Ford:** The breakdown of the gender balance on each of my Department's publicly appointed boards and arm's-length bodies is as follows:

Body	Male	Female
Criminal Justice Inspection Northern Ireland	1	-
Northern Ireland Policing Board (Independent Members)	3	6
Office of the Police Ombudsman for Northern Ireland	1	-
Probation Board for Northern Ireland	7	5
Royal Ulster Constabulary George Cross Foundation	6	-
Northern Ireland Police Fund	8	2
Police Rehabilitation and Retraining Trust	5	2
Independent Assessor for Police Service of Northern Ireland Recruitment Vetting	1	-
Independent Monitoring Board – Maghaberry Prison	3	6
Independent Monitoring Board – Magilligan Prison	5	5
Independent Monitoring Board – Hydebank Wood College and Women's Prison	4	3
Prisoner Ombudsman for Northern Ireland	1	-
Northern Ireland Law Commission	Positions are currently vacant	

**Lord Morrow** asked the Minister of Justice what is the proposed target date for the abolition of preliminary investigations and mixed committals.  
(AQW 51005/11-16)

**Mr Ford:** Committal reform is scheduled to commence in early summer 2016, on an incremental basis.

**Lord Morrow** asked the Minister of Justice what is the current cost in legal aid of the combined cases referenced 14/020710 in the Fermanagh/Tyrone Court Division, shown by (i) law firm; (ii) junior counsel; and (iii) senior counsel.  
(AQW 51006/11-16)

**Mr Ford:** No claims have been received from any of the legal representatives. At this point in time there is insufficient information to enable the Legal Services Agency to provide an estimate of the costs.

**Mr McNarry** asked the Minister of Justice what allocation of the £2 billion extra money from the Chancellor for cyber security is designated for the PSNI.  
(AQW 51013/11-16)

**Mr Ford:** Funding for Northern Ireland's share of the recent announcement by the Chancellor for cyber security is not known at this point in time.

It is expected that any additional funding allocated to Northern Ireland will be allocated to the NI Block, for funding decisions to be taken by the Executive.

Any requirement for specific bids for cyber security funding from PSNI, will, subject to business case approval, be made to the Executive for consideration.

**Lord Morrow** asked the Minister of Justice to detail the legal aid paid in the case of Jimmy Seales and the subsequent appeal, broken down by (i) law firm; (ii) junior counsel; and (iii) senior counsel.

**(AQW 51043/11-16)**

**Mr Ford:** The fees provided relate to the legal representatives acting for Jimmy Seales.

The total fees paid (including VAT) in relation to Magistrates' Court proceedings are:

First Solicitor	£3,841.86
Second Solicitor	£10,456.07
<b>Total</b>	<b>£14,297.93</b>

The total fees paid (including VAT and disbursements) in relation to Crown Court proceedings are:

Solicitor	£53,037.23
Junior Counsel	£16,423.20
Senior Counsel	£31,018.08
<b>Total</b>	<b>£100,478.51</b>

The total fees paid (including VAT) in relation to Court of Appeal proceedings are:

Solicitor	£57,254.40
Junior Counsel	£72,000.00
Senior Counsel	£108,000.00
<b>Total</b>	<b>£237,254.40</b>

**Lord Morrow** asked the Minister of Justice what was the cost of installing the Skype system, sound-proof suite and the security cameras at HMP Maghaberry.

**(AQW 51044/11-16)**

**Mr Ford:** The cost of installing the Skype system in Maghaberry was £2400. There is no sound proof booth and there were no extra security cameras installed.

**Mrs Dobson** asked the Minister of Justice what action his Department has taken on the issue of equal pay for the PSNI, the Department of Justice and the Northern Ireland Office personnel following the passing of an Assembly motion calling for urgent action on this issue on 12 October 2015.

**(AQW 51045/11-16)**

**Mr Ford:** I have always been, and remain, fully supportive of a centrally-driven and centrally-funded solution. This is a matter for the Department of Finance and Personnel, not the Department of Justice, as it affects staff across a number of Departments and other bodies.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 50738/11-16, whether there is a specific policy, procedure or understanding that separated prisoners are dealt with differently; and why convicted separated prisoners are dealt with differently than other non-separated prisoners.

**(AQW 51099/11-16)**

**Mr Ford:** Separated prisoners are managed in line with the recommendation of the Steele Report. This regime has necessitated differences in the regime delivered to separated and integrated prisoners.

**Mr Easton** asked the Minister of Justice for what purpose will the money raised through the sale of the Woburn site in Millisle be used.

**(AQW 51119/11-16)**



**Mr Ford:** The Capital budgets for 2016-17 have not yet been allocated to Departments. Any capital receipts from the sale of Woburn House will be considered as part of the wider Departmental capital spending plans for 2016-17.

**Mr Swann** asked the Minister of Justice how many convictions have been secured for offences relating to the theft of dogs, in each of the last three years.

**(AQW 51134/11-16)**

**Mr Ford:** The information requested is not available from datasets held by my Department. Prosecutions and convictions data are recorded for generic offences, such as theft, robbery or criminal damage and datasets held by my Department currently do not contain information on items stolen or circumstances in which offences were committed. Therefore, it is not currently possible to identify from the data held whether a conviction relates specifically to the theft of dogs.

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 50785/11-16, what consideration has been given to out-sourcing separated prisoner service delivery to an agency specialising in high security provision.

**(AQW 51174/11-16)**

**Mr Ford:** This has not been considered as an option.

## Department for Regional Development

**Mr Ó Muilleoir** asked the Minister for Regional Development to detail the consultation carried out on the introduction of a residents' parking pilot scheme in the Rugby Road and Lower Malone areas of South Belfast; and the results of the consultation.

**(AQW 50260/11-16)**

**Miss M McIlveen (The Minister for Regional Development):** I would refer the member to the answer provided to his recent question AQW 50189/11-16.

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 49858/11-16, how this applies in prohibited bus lanes.

**(AQW 50333/11-16)**

**Miss M McIlveen:** The only bus lane in Belfast where motorcycles are prohibited under the bus lane legislation is East Bridge Street. However, in the knowledge that motorcycles only have rear number plates and the fact that the fixed CCTV camera is forward facing, the mobile camera unit could be deployed at this location if the illegal use of the bus lanes by motorcycles becomes a problem.

**Mr Flanagan** asked the Minister for Regional Development (i) to list the dates on which monitoring or inspection of Killyhevlin WasteWater Treatment Works has taken place since May 2011; (ii) on which occasions was it found that full compliance with the drinking water standards had not been met; and (iii) for an update on the Consideration of Provisional Enforcement Order that was placed on NI Water in 2011 with regards to Killyhevlin WasteWater Treatment Works.

**(AQW 50337/11-16)**

**Miss M McIlveen:** Northern Ireland Water (NI Water) monitor the quality of the water produced by Killyhevlin Water Treatment Works (WTW) on a daily basis as required by the Water Supply (Water Quality) Regulations (Northern Ireland) 2007.

There have been 47 contraventions of the drinking water standards at Killyhevlin WTW since January 2011. Details of the occasions when full compliance with the drinking water standards have not been met are set out in the table below.

Through the regulatory compliance process, the Drinking Water Inspectorate (DWI) for Northern Ireland took enforcement action against NI Water and issued a Consideration of Provisional Enforcement Order (CPEO) against the company in October 2011, for contraventions of the regulatory standards for the taste and odour parameters in respect of the Killyhevlin WTW supply area. The CPEO was officially closed by the DWI in December 2012 following completion of the agreed undertakings. As a result of this enforcement action, NI Water agreed to install new filters at Killyhevlin WTW. Seven new filters were installed in June 2015 and since then there have been no taste, odour or pesticide contraventions within the Killyhevlin water supply area.

### Killyhevlin Water Treatment Works - Dates on which contraventions occurred

Year	Sample Point	Sample Date	Parameter	Reason
2011	Killyhevlin Final Water Outlet	06-Jun-11	MCPA (2-methyl-4-chloro-phenoxyacetic acid)	Pesticide use in catchment and lack of adequate pesticide removal treatment.

Year	Sample Point	Sample Date	Parameter	Reason
2011	Killyhevlin Final Water Outlet	20-Jun-11	Odour	Insufficient treatment
2011	Killyhevlin Final Water Outlet	08-Aug-11	Taste	Insufficient treatment
2011	Killyhevlin Final Water Outlet	08-Aug-11	Odour	Insufficient treatment
2011	Killyhevlin Final Water Outlet	15-Aug-11	Odour	Insufficient treatment
2011	Killyhevlin Final Water Outlet	01-Sep-11	Manganese	Unrepresentative sampling
2011	Killyhevlin Final Water Outlet	26-Sep-11	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2011	Killyhevlin Final Water Outlet	28-Nov-11	Odour	Insufficient treatment
2011	Killyhevlin Final Water Outlet	05-Dec-11	Taste	Insufficient treatment
2011	Killyhevlin Final Water Outlet	05-Dec-11	Odour	Insufficient treatment
2012	Killyhevlin Final Water Outlet	03-Jan-12	Odour	Insufficient treatment
2012	Killyhevlin Final Water Outlet	16-Jan-12	Odour	Insufficient treatment
2012	Killyhevlin Final Water Outlet	11-Jun-12	Cryptosporidium	Treatment issue
2012	Killyhevlin Final Water Outlet	20-Jun-12	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2012	Killyhevlin Final Water Outlet	12-Aug-12	Turbidity	Unrepresentative sampling
2012	Killyhevlin Final Water Outlet	03-Dec-12	Manganese	Treatment issue
2013	Killyhevlin Final Water Outlet	14-Oct-13	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2013	Killyhevlin Final Water Outlet	30-Oct-13	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2014	Killyhevlin Final Water Outlet	14-Jan-14	Turbidity	Unrepresentative sampling
2014	Killyhevlin Final Water Outlet	03-Feb-14	Turbidity	Unrepresentative sampling
2014	Killyhevlin Final Water Outlet	03-May-14	Turbidity	Unrepresentative sampling
2014	Killyhevlin Final Water Outlet	12-May-14	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2014	Killyhevlin Final Water Outlet	27-May-14	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2014	Killyhevlin Final Water Outlet	29-May-14	Manganese	Unrepresentative sampling
2014	Killyhevlin Final Water Outlet	04-Jun-14	Iron	Sampling Issue

Year	Sample Point	Sample Date	Parameter	Reason
2014	Killyhevlin Final Water Outlet	09-Jun-14	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2014	Killyhevlin Final Water Outlet	23-Jun-14	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2014	Killyhevlin Final Water Outlet	23-Jun-14	Odour	Insufficient treatment
2014	Killyhevlin Final Water Outlet	23-Jun-14	Taste	Insufficient treatment
2014	Killyhevlin Final Water Outlet	07-Jul-14	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2014	Killyhevlin Final Water Outlet	18-Aug-14	Odour	Insufficient treatment
2014	Killyhevlin Final Water Outlet	01-Sep-14	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2014	Killyhevlin Final Water Outlet	13-Oct-14	Odour	Insufficient treatment
2014	Killyhevlin Final Water Outlet	13-Oct-14	Taste	Insufficient treatment
2014	Killyhevlin Final Water Outlet	24-Nov-14	Taste	Insufficient treatment
2014	Killyhevlin Final Water Outlet	24-Nov-14	Odour	Insufficient treatment
2014	Killyhevlin Final Water Outlet	08-Dec-14	Clopyralid	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2015	Killyhevlin Final Water Outlet	12-Feb-15	Turbidity	Unrepresentative sampling
2015	Killyhevlin Final Water Outlet	24-Feb-15	Turbidity	Unrepresentative sampling
2015	Killyhevlin Final Water Outlet	05-May-15	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2015	Killyhevlin Final Water Outlet	11-May-15	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2015	Killyhevlin Final Water Outlet	18-May-15	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2015	Killyhevlin Final Water Outlet	26-May-15	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2015	Killyhevlin Final Water Outlet	01-Jun-15	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2015	Killyhevlin Final Water Outlet	08-Jun-15	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2015	Killyhevlin Final Water Outlet	15-Jun-15	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.
2015	Killyhevlin Final Water Outlet	22-Jun-15	MCPA	Pesticide use in catchment and lack of adequate pesticide removal treatment.

**Mr Weir** asked the Minister for Regional Development for an update on plans to introduce residents' parking schemes outside Belfast.

**(AQW 50341/11-16)**

**Miss M McIlveen:** My Department has progressed Residents Parking Schemes in Antrim and Londonderry, as well as Belfast.

However, given the difficulties in securing public support for schemes in Belfast and the costs associated with the implementation of a scheme in Londonderry and in Antrim, and taking into consideration my Department's current budgetary pressures, I wish to take some time to consider my Department's policy and also the difficulties with implementation before making any decisions.

**Mr Dunne** asked the Minister for Regional Development for an update on plans for a new Belfast Transport Hub at Great Victoria Street, including an estimated completion date.

**(AQW 50400/11-16)**

**Miss M McIlveen:** Translink is working closely with my Department, the Strategic Investment Board and Belfast City Council on the plans for the new Belfast Transport Hub to ensure the development is fully realised as a major public transport and development opportunity.

The project was awarded TEN-T European Funding in September 2014 for a technical development study and my Department has also provided funding to allow for detailed design, master planning and Outline Business Case (OBC) to be progressed.

The design options that are now being explored show the inclusion of eight platforms and 26 bus stands to cater for the on-going expected growth in bus and rail passenger journeys within Northern Ireland. The new Hub will be able to cater for 18 million passenger journeys by 2040 and will facilitate quicker Enterprise services to Dublin.

A considerable number of environmental surveys and investigation works have been undertaken on the existing site and engagement is on-going with the surrounding communities.

An OBC is being prepared for early 2016, with a possible planning application later in 2016 and an estimated completion date of 2021 but this is clearly dependent upon OBC approval and affordability considerations.

**Lord Morrow** asked the Minister for Regional Development for an update on the proposed new taxi ranks in Belfast and the upgrading of the taxi ranks at Donegall Square North.

**(AQW 50406/11-16)**

**Miss M McIlveen:** My officials met with representatives of the public hire taxi drivers in Belfast on 10 June 2015. At this meeting the taxi drivers put forward a proposal to amend how the taxi ranks in Donegall Square (in and around Belfast City Hall) operate. My officials agreed to consider this proposal and consult with the main stakeholders to gauge their views.

Belfast City Council and the PSNI have rejected the proposal. Consequently, my Department is considering if the proposal can be amended to overcome their concerns.

In relation to other potential sites for taxis ranks in Belfast, my Department has been consulting with key stakeholders and frontagers on five separate potential sites with a view to proceeding to the formal legislative stage in the New Year.

**Mr McMullan** asked the Minister for Regional Development whether any man power, material or vehicle reductions will be made to the winter gritting schedule.

**(AQW 50416/11-16)**

**Miss M McIlveen:** I can confirm that there has been no change to policy to reduce the winter service programme for this season.

During this winter season, some 300 staff are available every day to salt the road network that serves around 80% of daily traffic flow in Northern Ireland. The full winter service fleet of 130 gritters and eight specialist snow blower vehicles are operational and available to be deployed to help drivers and road users cope with wintry conditions.

Salt barns and stockpiles have also been filled to maximum capacity of over 70,000 tonnes. In addition, I already have in place reserve stocks of around 20,000 tonnes. I have also made provision for further supplies, if required, at the rate of around 15,000 tonnes per month.

**Mrs Cochrane** asked the Minister for Regional Development for her assessment of the lighting on the Comber Greenway.

**(AQW 50426/11-16)**

**Miss M McIlveen:** I am considering proposals for a number of improvements to the Comber Greenway as part of the Bicycle Network Plan for Belfast and this could include lighting on the route. Following consultation on the plan, I am willing to give consideration to whether lighting is appropriate along the entire route taking account of environmental concerns and the needs of adjacent properties and neighbours.

**Mr Flanagan** asked the Minister for Regional Development (i) for details of the proposals and indicative costs and benefits of the motorway improvement schemes at (a) the M1 between Stockman's Lane, Junction 2, and Blaris, Junction 8; and (b) the M2 between York Street, Junction 1a, and Sandyknowes, Junction 4; and (ii) when his Department will make a decision on these schemes.

**(AQW 50462/11-16)**

**Miss M McIlveen:** A high level feasibility study on how best to maximise the potential of motorway hard shoulders as running lanes was recently completed for my Department. My officials have advised me that it is not possible to provide the information as you have requested because costs for individual sections of the scheme cannot be extracted from this report. However, the report identified the following schemes as producing positive benefits for hard shoulder running:

- a) Both carriageways on the M1 from Junction 1 (Broadway) to Junction 8 (Blaris), £30 - £35million indicative cost,
- b) Both carriageways on the M2 from Junction 1 (Duncrue Street) to Junction 4 (Sandyknowes), £25 - £30million indicative cost, and
- c) M2 Foreshore (citybound) – hard shoulder busway, £2 - £3million indicative cost.

Hardshoulder running or “Smart Motorways” are intended to relieve congestion, improve safety and journey times. They have reduced capital construction costs compared to traditional road widening.

Work to date has examined the feasibility of these proposals and the timing of further development work is currently being considered against competing priorities. As work is still at the feasibility stage, costings are provided only as an indication of the likely scale of the works.

In addition, two schemes have been identified by my Department to help mitigate against traffic congestion during the construction phase of York Street Interchange. These are:

- a) Extend the existing M1 city bound busway to the Sprucefield Park and Ride facility by utilising the existing hard shoulder; and
- b) Install a busway on the M2 city bound hard shoulder between Junction 2 (Greencastle) and Junction 1b (Duncrue Street).

The schemes are not yet at a detailed design stage so reliable costs are not yet available however, indicative costs would be £1-£2million for the M1 bus lane extension and £2-£3million for the construction of a bus lane on the M2.

The introduction of both these interim schemes would help to alleviate traffic congestion in and around the York Street Interchange during construction works, by incentivising car users to switch to Public Transport as an alternative means of getting into Belfast. Public Transport users will also benefit from more reliable journey times into the city.

Currently, these bus lane schemes are being developed in parallel with the York Street Interchange and, their continued development is predicated on the York Street Interchange scheme progressing further through the various statutory processes.

**Mr McKay** asked the Minister for Regional Development to outline any future plans for the introduction of 20mph zones. (AQW 50464/11-16)

**Miss M McIlveen:** My Department has, over recent years, rolled out an extensive programme of traffic calmed roads, mainly in residential areas. The location of these schemes have been evidentially led and identified from a set of criteria such as speed and volume of traffic, collision statistics and local environmental considerations. These engineering measures ensure that traffic speeds are kept below 20mph and have resulted in a considerable reduction in pedestrian and other vulnerable road user casualties.

An action measure in the Northern Ireland Road Safety Strategy commits my Department to pilot the concept of signed only 20mph speed limit schemes without any additional engineering measures such as road humps. Following consultation between my officials and the PSNI, five test sites were selected for the reduced speed limits.

These are located at:

- The Whitehall area of Ballycastle;
- Langley in Ballynahinch;
- The Rosses in Ballymena;
- Merville Garden Village in Newtownabbey; and
- Belfast City Centre within the Belfast on the Move project area.

All schemes are now functioning with the exception of the Belfast site, which should come into operation shortly. It is intended that these schemes will be monitored to assess their effectiveness or otherwise of reducing traffic speeds and collisions. This will inform a decision as to whether there should be a more extensive roll out of 20mph signed only speed limits across Northern Ireland.

**Mr McKay** asked the Minister for Regional Development how many people (i) in Belfast; and (ii) outside Belfast were recorded as cycling in 2015; and how these figures compare to the previous two years. (AQW 50466/11-16)

**Miss M McIlveen:** The information is not available in the form requested but the Travel Survey for Northern Ireland (TSNI) collects information on the percentage of people who have cycled in the last 12 months. The most recently available results are from 2011-2013 and these are compared to 2010-2012 and 2009-2011 TSNI results in the following table.



**Table 1: Proportion of residents in NI who have cycled in the last 12 months**

	Resident in Belfast <sup>1</sup>	Resident outside Belfast	All NI
2011-2013	24%	27%	27%
2010-2012	24%	28%	28%
2009-2011	25%	28%	28%

1. Belfast Local Government District (LGD) based on 26 LGD's

The recently published Belfast Bike Life 2015 (page 5) reports that around 31% of Belfast people cycle although no comparative data is available from previous years.

**Mr Easton** asked the Minister for Regional Development for an update on the new sewerage infrastructure for Millisle.  
(AQW 50488/11-16)

**Miss M McIlveen:** The £1 million programme of essential improvement work to upgrade the sewerage infrastructure and a key pumping station in Millisle commenced in June 2015 and is progressing well. The pumping station is currently under construction, and the laying of the sewage pumping main is substantially complete with the exception of the final connections. It is anticipated that the overall programme of work will continue until summer 2016.

**Mr Easton** asked the Minister for Regional Development when work to upgrade the sewerage infrastructure at Abbey Street, Bangor is due to commence.  
(AQW 50490/11-16)

**Miss M McIlveen:** The proposed work in Castle Park (Abbey Street) is part of an overall estimated £10 million investment in the sewerage infrastructure in Bangor. Following extensive archaeological investigations by NI Water, major incoming and outgoing pipework to the new pumping station in Castle Park has been granted a route alongside the historic St. Malachy's Wall by NI Environment Agency. This will reduce the impact of the planned work on traffic and local traders in Abbey Street. The work is currently programmed to commence in Spring 2016, subject to statutory approvals and the availability of funding.

**Mr McKay** asked the Minister for Regional Development how she plans to change the funding percentages between public transport and roads.  
(AQW 50492/11-16)

**Miss M McIlveen:** Whilst there has been considerable investment in the transport network over the past decade, there remains a clear need to enhance the levels of investment in transport further. I will continue to make the case for transport and will consider the balance of spend between both roads and public transport as I prioritise investment going forward. The long term allocation of spend will be guided by the Executive's priorities set out in the next Programme for Government, the Comprehensive Spending Review and the next Investment Strategy for Northern Ireland.

**Mr McKay** asked the Minister for Regional Development whether her Department has any plans to promote the conversion of the Ballycastle - Ballymoney railway to a greenway.  
(AQW 50493/11-16)

**Miss M McIlveen:** In relation to the former Ballymoney to Ballycastle railway line the Member will be aware that the majority of the track bed was sold to numerous parties in and around the mid to late 1950s.

I believe that the development of greenways as traffic-free off-road routes is an area where there is an opportunity for local authorities to take ownership. In order to assist such development, my Department is currently considering the development of a strategic plan for greenways for Northern Ireland. The purpose of such a plan would be to provide a framework for the development of greenways which will assist local councils and other bodies to develop their own schemes.

**Mr McKay** asked the Minister for Regional Development what is her Department's projected spend on cycling for this financial year.  
(AQW 50494/11-16)

**Miss M McIlveen:** The attribution of spend to cycling specifically is not a precise exercise as many projects have benefits for cycling, even if not carried out specifically for that purpose. Equally, there are cycling-related projects which have benefits for walking and other active travel modes in addition to the cycling benefit. Other Departments also invest in projects that have cycling benefit.

It is anticipated that my Department will spend over £2 million on cycling infrastructure, measures and promotion of cycling in this current financial year.

**Mr McKay** asked the Minister for Regional Development what is her Department's projected spend on greenways for this financial year.  
(AQW 50496/11-16)

**Miss M McIlveen:** The Comber Greenway is the only greenway under the ownership of my Department.

There is no projected capital spend on the Comber Greenway in this financial year. The Comber Greenway is maintained by TransportNI's in-house contractor and any actionable defects will be repaired as and when required.

However, I am considering proposals for a number of improvements to the Comber Greenway as part of the draft Bicycle Network Plan for Belfast.

**Mr McKay** asked the Minister for Regional Development how much has been spent on greenways in each of the last four financial years.

**(AQW 50497/11-16)**

**Miss M McIlveen:** My Department invested £75,000 in a new bridge on the Comber Greenway at Ballyrainey Road, Comber in 2011/12. This is the only greenway under the ownership of my Department.

My Department has also provided funding totalling £2.9 million for a number of council greenway projects over the past four years, including two of the recently completed active travel demonstration projects. Details are provided in the table below.

£ million	2011/12	2012/13	2013/14	2014/15
Greenway expenditure	0.4	0.4	0.4	1.8

Maintenance work has been carried out by Transport NI's in-house contractor with no spend by way of external contractors. Internal costs for TransportNI Operations & Maintenance section are not readily available.

**Mr Allister** asked the Minister for Regional Development what consideration has been given the adoption of the alleyway at Olympia Drive, Belfast.

**(AQW 50523/11-16)**

**Miss M McIlveen:** I can confirm the adoption of the alleyway at Olympia Drive, Belfast, has been raised and considered by officials on no less than five separate occasions. The alleyway is not adopted and does not meet my Department's criteria for adoption into the public road and footway network. Officials have estimated the cost of bringing the alleyway up to an adoptable standard. This is likely to be in the order of £50-60,000 and this cost would normally be borne by the frontagers, as the alleyway is not currently in public ownership. In addition, under my Department's current limited Resource funding levels, it is not in a position to increase the long term maintenance burden that would arise from adoption of this alleyway.

**Mr Agnew** asked the Minister for Regional Development whether Translink busses have been affected by the diesel emissions scandal; and if so, to provide further details.

**(AQW 50537/11-16)**

**Miss M McIlveen:** Translink has confirmed that it does not operate any buses or coaches that are affected by the engine emissions scandal relating to Volkswagen automotive engines.

**Mr Lyttle** asked the Minister for Regional Development to outline the Department's responsibility for dealing with flags on street furniture.

**(AQW 50548/11-16)**

**Miss M McIlveen:** In dealing with flags on street furniture, my Department's primary responsibility is to remove flags or attachments that pose a danger to road users.

Where there is no such danger, my Department acts in accordance with the multi-agency Joint Protocol in Relation to the Display of Flags in Public Areas which was introduced in 2005.

Under the Protocol, when called upon by the lead Agency, my Department provides the access equipment and resources to remove unwanted flags, once agreement has been reached for their removal and where they are not easily accessible.

However, my Department also has a duty of care to its staff, and therefore the safety of personnel tasked with the removal of flags must always be taken into account.

**Mr Swann** asked the Minister for Regional Development under what conditions would NIWater be able to dispose of assets in an auction situation to a lower bidder.

**(AQW 50562/11-16)**

**Miss M McIlveen:** NI Water has developed policy and guidance to cover the disposal of surplus assets. This requires the company to ensure that it obtains the best price, achieves value for money and maintains high standards of propriety. It is not aware of any conditions where assets would not be sold to the highest bidder at an auction.

**Mr Dallat** asked the Minister for Regional Development why road closed and diversion signage have remained in place on the Largy Road, Portglenone-Randalstown, for several weeks after the road was reopened.

**(AQW 50601/11-16)**

**Miss M McIlveen:** The 'road closed' and 'diversion' signage, which is currently in place along the Largy Road between Portglenone and Randalstown, is intended to inform motorists of the 'one way' closure currently in place to facilitate the Public Realm works at Main Street, Randalstown.

These works have been ongoing since September this year with 'road ahead closed' and 'diversion' signs being placed along the Largy Road. In addition, a number of Variable Message Signs have been erected along the route to inform motorists of the closure and diversion.

To facilitate carriageway resurfacing, my Department also put in place a road closure at the Largy Road/Taylorstown junction between Monday 28 September and Thursday 1 October. This allowed the existing diversion routes already in use for the Randalstown Public Realm scheme. Temporary signage associated solely with the resurfacing scheme has been removed.

**Mr Ó hOisín** asked the Minister for Regional Development whether there are any plans to provide shower, locker or storage facilities for cyclists at the new halt at Bellarena.

**(AQW 50630/11-16)**

**Miss M McIlveen:** Translink intends to include the provision of a cycle shelter at this location as a variation to the project, subject to the necessary approvals.

**Mr Ó hOisín** asked the Minister for Regional Development what is the maximum number of bicycles that can be carried on a rail carriage.

**(AQW 50631/11-16)**

**Miss M McIlveen:** Information on the carriage of bicycles is available on the Translink website under the heading NI Railways (NIR) Conditions of Carriage. The website address is: [www.translink.co.uk/Services/NI-Railways/NI-Railways-conditions-of-carriage/](http://www.translink.co.uk/Services/NI-Railways/NI-Railways-conditions-of-carriage/)

The bicycle policy states that:

- All bicycles (subject to the conditions below) will be carried FREE of charge on trains.
- Bicycles will not be permitted on trains prior to 0930 hours Monday to Friday.
- Up to 4 full sized bicycles can be carried at any one time within the designated bicycle area. Space will be allocated on a first come first served basis, in the designated area, and at the discretion of the Conductor. There is no bicycle reservation system.
- There are no travel restrictions nor limit to the number of 'folding bicycles' NIR can carry, provided they are completely folded down.
- Tandems, tricycles, motorcycles, mopeds, motorised cycles and scooters are not permitted on any train.
- Bicycles will not be carried during periods of bus substitution.
- Bicycle parking shelters are available at many of the main stations throughout the rail network.

**Mr Agnew** asked the Minister for Regional Development, pursuant to AQW 48311/11-16, when Bicycle Network Plans for urban areas in North Down will be published.

**(AQW 50692/11-16)**

**Miss M McIlveen:** The indicative delivery schedule in the Bicycle Strategy for Northern Ireland indicates that work will initially be done on developing a Bicycle Network Plan for Belfast. It is planned that this will be consulted on in the near future.

The delivery schedule also indicates that this will be followed by the development of network plans for other urban areas. This will begin in the next financial period.

**Mr Lyttle** asked the Minister for Regional Development how, under the Roads (NI) Order 1993, a person obtains lawful authority from her Department to paint, or otherwise inscribe or affix any picture, letter, sign or mark upon a structure on a road.

**(AQW 50698/11-16)**

**Miss M McIlveen:** Under the Roads (NI) Order 1993 my Department has no powers to consent to or provide lawful authority for the erection or placing of any picture, letter, sign or mark upon a structure on a road.

**Mr Lyttle** asked the Minister for Regional Development to detail the (i) amount and the nature of offences; and (ii) removals that have occurred under the Roads (Northern Ireland) Order 1993 Part VII 87 (1) and (2) in each of the last five years.

**(AQW 50701/11-16)**

**Miss M McIlveen:** My Department does not hold information on the number of offences which took place. However, I can provide information relating to offences where action was instigated by my Department.

The table below provides an estimate of the number of signs which were removed under the Roads (Northern Ireland) Order 1993 Part VII (1) and (2) in each of the last five years:

Financial Year	Number of signs removed
2010/11	1425
2011/12	982
2012/13	911
2013/14	676
2014/15	788

**Mr Dallat** asked the Minister for Regional Development to detail the amount of money invested in pension funds for senior management in (i) Translink; and (ii) Northern Ireland Water, in each of the last five years.

**(AQW 50712/11-16)**

**Miss M McIlveen:** The tables below provide details on the amount of money paid into pension funds (in respect of Employer pension contributions only) in respect of the Senior Management Teams of both Translink and Northern Ireland Water in each of the last five years. For the purposes of this question, Senior Management Team is being interpreted for Translink as the Group Chief Executive, Chief Operating Officer, Chief HR & Corporate Services Officer and Chief Financial Officer; and in respect of Northern Ireland Water, it is being interpreted as Executive Committee positions up to and including the Chief Executive.

#### Translink

Year	2010/11	2011/12	2012/13	2013/14	2014/15
Amount	£97,716	£102,388	£107,214	£115,119	£109,146

#### Northern Ireland Water

Year	2010/11	2011/12	2012/13	2013/14	2014/15
Number of Senior Managers in NI Water	7-8	6-7	6	6	6-7
Amount*	£214,000	£176,000	£182,000	£182,000	£191,000

\* The sums included are approximate to the nearest £'000.

**Mr Dallat** asked the Minister for Regional Development what plans are in place to increase the capacity of the Belfast-Dublin Enterprise rail service.

**(AQW 50713/11-16)**

**Miss M McIlveen:** The Enterprise fleet has been out of service undergoing a significant refurbishment programme, and in the interim the Belfast – Dublin rail service has been operated by NI Railways and Iarnród Éireann using local commuter trains from within the existing networks which has lead to reduced capacity on the line during the project.

However, the first refurbished Enterprise train has just completed its final stages of testing and commissioning and it returned to full service on Monday, 16 November 2015. It is planned that the remaining 3 Enterprise train sets will be back in passenger service by late 2015 or early 2016. This will bring capacity between Belfast and Dublin to the level before the refurbishment programme started.

In addition, in the run-up to Christmas additional trains will operate to Dublin each Saturday at 09:35, returning from Dublin at 18:20.

This project will mean a significantly enhanced customer experience. Longer term plans for the service will be considered going forward in light of passenger trends and both rail company views and financial situations.

**Mr Dallat** asked the Minister for Regional Development how many incidents relating to motorists using level crossings in an inappropriate way have been reported in each of the last five years.

**(AQW 50714/11-16)**

**Miss M McIlveen:** The records of vehicle incursions at public road crossings (level crossings) for the last 5 complete calendar years are as outlined below:

2014	83
2013	138

2012	81
2011	96
2010	82

**Mr Dallat** asked the Minister for Regional Development what financial support has been provided to preserve the history of railways with working locomotives and static displays.

**(AQW 50715/11-16)**

**Miss M McIlveen:** My Department provides no financial support to preserve the history of railways and static displays but Translink has ensured that railway vehicles of historic importance have been offered to the Railway Preservation Society of Ireland (RPSI), Downpatrick & County Down Railway and the Ulster Folk and Transport Museum.

**Mr Ó Muilleoir** asked the Minister for Regional Development for an update on plans to install a pedestrian crossing at Holy Rosary Church, on the Ormeau Road, south Belfast.

**(AQW 50718/11-16)**

**Miss M McIlveen:** I understand you have been previously advised that this location does not rank sufficiently highly in my Department's priority list to be included in the current works programme. It remains on the list of potential sites for future consideration when developing programmes of work.

However, officials agreed to resurvey this site to update the assessment. I can confirm this survey is underway and when completed the results will be analysed and the overall priority score for this proposal will be updated.

**Mr Dickson** asked the Minister for Regional Development to outline the reasons for the overcrowding on the Larne line train, in particular at Whiteabbey station in the morning when there are such large crowds that passengers are left behind; and what action she is taking to rectify this matter.

**(AQW 50759/11-16)**

**Miss M McIlveen:** Translink has advised me that since 29 September 2015, NI Railways has been operating a 6-carriage train on the 07:30 service from Whitehead to accommodate demand. It is scheduled to arrive at Whiteabbey at 7.55 am. Regrettably, this service has been reduced to 3 carriages on a number of occasions due to fleet availability.

Whilst the Whitehead service is scheduled to operate as a 6-carriage set there is another service leaving 9 minutes later at 8:04 am from Whiteabbey which is a 6-carriage set (originating in Londonderry).

Translink is hopeful that this is a temporary problem and should ease in the coming weeks when the first refurbished Enterprise train re-enters passenger service, releasing an additional train unit back into the fleet pool.

**Mr Flanagan** asked the Minister for Regional Development when work on the Enniskillen bypass will begin.

**(AQW 50776/11-16)**

**Miss M McIlveen:** I fully recognise the benefits that a Southern Bypass would bring to the town of Enniskillen and in particular travellers moving in and around the town and can confirm that the preferred alignment for this scheme was announced in June 2015.

I am keen to advance the scheme to the next stage which involves progressing the project through the statutory procedures. It is my intention to take the project to this stage however, the timing of this will be dependent on future financial settlements.

Enniskillen Southern Bypass must compete with other major road infrastructure projects for limited funding resource and I am unfortunately not in a position at this time to give you an undertaking as to when construction of the bypass will begin.

**Mr Lyttle** asked the Minister for Regional Development for an update on the Accessible Transportation Strategy 2025.

**(AQW 50787/11-16)**

**Miss M McIlveen:** My Department launched the Accessible Transport Strategy 2025 for public consultation on 28 August 2015. The consultation closed on 20 November 2015.

In developing a draft Strategy for public consultation, my officials consulted with the Inclusive Mobility Transport Advisory Committee (IMTAC) as a source of advice on the issues to be addressed. All responses to the pre-consultation and consultation will be considered when taking forward the Strategy.

**Mr Agnew** asked the Minister for Regional Development whether the Electricity Supply Board intends to introduce an equivalent flat rate charge of 17 Euros per month for use of the electric car charging points.

**(AQW 50959/11-16)**

**Miss M McIlveen:** In July 2015 the responsibility for the operation, maintenance and development of the public charge point network for electric vehicles users in Northern Ireland transferred to the Electricity Supply Board (ESB).



The Electricity Supply Board (ESB) has advised the Department that they do not envisage introducing any fee for charging electric vehicles at public charge points in Northern Ireland until at least the latter part of 2016. ESB also indicated that at this stage they cannot be specific about how any fee will be structured as they are continuing to develop products best suited to all users of the Northern Ireland ecar system.

**Mr McCarthy** asked the Minister for Regional Development, given the importance of renewed timetables for the operation of the Strangford Ferry service, whether she will consider offering a 2 or 3 week extension to the present consultation period.  
(AQW 51033/11-16)

**Miss M McIlveen:** Given the importance of the Strangford Lough Ferry Service within the local area, I feel it is important that any decision on timetable amendments is based upon a full understanding of public opinion on this matter.

As such I would be content to allow a two week extension to the consultation period which will now close on 11 December 2015.

**Mr McGlone** asked the Minister for Regional Development, in light of two more accidents at this junction in the last few days, when the agreed road safety improvements at the junction of Gracefield Road and Aughrim Road, Magherafelt, will take place.

(AQW 51089/11-16)

**Miss M McIlveen:** My Department considers improvements to the junction of Aughrim Road with Gracefield Road a very worthwhile scheme and has therefore included this scheme in the draft Local Transport and Safety Measures programme for years 2016 to 2018, for the Mid Ulster District Council area.

The timing of delivery of schemes within this programme will depend on the level of funding made available during this period for Local Transport and Safety Measures schemes. Priorities and programmes for 2016/2017 can only be identified once funding levels are confirmed, and this will not take place until early 2016.

**Mr Dickson** asked the Minister for Regional Development what action is being taken to remedy flooding at Greenisland Railway Station.

(AQW 51120/11-16)

**Miss M McIlveen:** Translink has advised me that all of the local station drains including a large storm sewer have been opened up and cleaned out to ensure that maximum flows can be achieved.

CCTV investigations of the drains are being undertaken to ensure that there are no blockages or collapses in the vicinity of the station which might prevent the water from getting away and Translink is also seeking to make contact with the relevant authorities to progress a study of the drainage capacity in the area.

## Department for Social Development

**Mr McNarry** asked the Minister for Social Development how the Programme for Government 2011-16 could be reviewed and modified to better facilitate his Department.

(AQW 50447/11-16)

**Mr Storey (The Minister for Social Development):** A review of the implementation of the current Programme for Government is being undertaken by OFMdfM to identify opportunities to support more effective delivery.

**Mr Eastwood** asked the Minister for Social Development to detail (i) number of agency staff employed by the Northern Ireland Housing Executive; (ii) the average length of service for agency staff; (iii) the fees paid to agencies in each of the last five years; and (iv) whether it is more cost effective to fill vacancies with short-term contracts.

(AQW 50595/11-16)

**Mr Storey:** The Housing Executive has advised that in relation to:-

- (i) They had 556 agency workers in its employment as at 30 September 2015;
- (ii) The average length of an agency worker's assignment is 14.61 months.
- (iii) The fees paid to the agency cover the worker's salary, cost of using the agencies' services, pension, National Insurance, and other costs associated with the Agency Workers Regulations (AWR).

Financial Year	Fees (£m)
2011/12	2
2012/13	3.4
2013/14	7.2

Financial Year	Fees (£m)
2014/15	11.2
2015/16 (1 Apr-30 Sep 2015)	5.4

- (iv) The fees would be broadly comparable to the costs associated with direct employment. The employment of agency workers is deemed to be as cost effective as direct employment.

**Mr Easton** asked the Minister for Social Development for an update on the Queens Parade project in Bangor.  
(AQW 50643/11-16)

**Mr Storey:** My Department has secured full planning permission for a major regeneration scheme at Queen's Parade, Bangor. The proposals put forward will restore the area into an attractive, vibrant, inclusive place for everyone to enjoy and enhance the reputation of the town as a key tourist and shopping destination. The granting of planning permission is the first stage in the development process. My Department in conjunction with Council are working closely together and hope to appoint a private sector development partner in September 2016 to take forward the proposals.

**Ms McCorley** asked the Minister for Social Development to detail the sites where the Northern Ireland Housing Executive has provided land for the establishment of a monument or memorial garden since 2011, broken down by each council area.  
(AQW 50705/11-16)

**Mr Storey:** The table attached, provided by the Housing Executive, details the sites that they have provided land for the establishment of a monument or memorial garden since 2011, broken down by each council area.

Council Area	Site	Monument or Memorial Garden/ Garden of reflection.
Belfast City Council	Annadale	Memorial/reflective garden funding under the Building Relationships In Communities programme
Belfast City Council	Village	Memorial/reflective garden funding under the Building Relationships In Communities programme
Belfast City Council	Ardoyne	Memorial/reflective garden
Mid Ulster District Council	Sandybrae	Community Garden/Praxis
Mid Ulster District Council	King William III	Community Garden/Grounds Maintenance
Mid Ulster District Council	Glenburn	Community Garden/Grounds Maintenance
Mid Ulster District Council	Killowen	Community Garden/Grounds Maintenance
Mid Ulster District Council	Loup	Seating with assistance from Arts Council
Mid Ulster District Council	Pomeroy	Lady feature at entrance to Park View with Arts Council assistance
Mid Ulster District Council	Gortalowry	Slabs featuring remembering people from the past/supported by Community Cohesion
Fermanagh and Omagh District Council	Lisnaskea	Large structure of interlocking rings, funded by Arts Council.
Ards and North Down Borough Council	Beechfield Drive, Donaghadee	Community reflective space. The delivery agent was Ards Borough Council and funding came from phase 2 of PEACE 3. Six loyalist emblems were removed and all territorial colours were cleaned from kerbstones and lamp posts to allow the reflective space to happen. The reflective space remembers those who died in World War 1.

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 Weir** asked the Minister for Social Development to detail the timeframe for the replacement of wooden framed double glazed windows with PVC double glazed windows in Northern Ireland Housing Executive properties in North Down.  
(AQW 50749/11-16)

**Mr Storey:** The Housing Executive has informed me that it is currently preparing a window replacement programme for 2016/17. Although all of the surveys have not yet been carried out, it is currently estimated that 90 dwellings in North Down with timber-framed windows will have these replaced with PVC installations under this programme. As regards the replacement of the rest of the timber-framed windows in North Down, this will be programmed as part of the Housing Executive's future investment plans.

**Mr McKay** asked the Minister for Social Development what actions his Department has taken to improve uptake of the cycle to work scheme.

**(AQW 50803/11-16)**

**Mr Storey:** The Cycle to Work Scheme is a well established NICS-wide initiative and information on the scheme is available to all staff on the HRConnect portal. It continues to be popular with staff in my department with over 100 applications supported so far this calendar year and 535 supported since the scheme was launched in 2012.

**Ms Sugden** asked the Minister for Social Development to detail how many people were in receipt of an Employment Support Allowance for each quarter of the last year for (i) Northern Ireland; and (ii) each Council Area.

**(AQW 50807/11-16)**

**Mr Storey:** The table overleaf shows the number of people in receipt of Employment and Support Allowance in each of the last 5 quarters, broken down by council area. This is the latest available information.

Local Government District	ESA Recipients				
	May 2014	Aug 2014	Nov 2014	Feb 2015	May 2015
Antrim Borough Council	2,450	2,630	2,740	2,810	2,850
Ards Borough Council	3,450	3,680	3,750	3,800	3,830
Armagh City and District Council	2,750	2,980	3,050	3,120	3,190
Ballymena Borough Council	2,990	3,230	3,280	3,330	3,380
Ballymoney Borough Council	1,740	1,850	1,860	1,890	1,900
Banbridge District Council	2,320	2,450	2,460	2,500	2,560
Belfast City Council	20,810	22,230	22,710	23,330	23,850
Carrickfergus Borough Council	1,860	2,020	2,030	2,110	2,140
Castlereagh Borough Council	2,670	2,840	2,910	2,950	3,030
Coleraine Borough Council	3,110	3,320	3,330	3,420	3,450
Cookstown District Council	2,080	2,220	2,250	2,310	2,330
Craigavon Borough Council	5,250	5,620	5,670	5,780	5,900
Derry City Council	8,340	8,860	9,020	9,270	9,440
Down District Council	3,600	3,870	3,980	4,100	4,150
Dungannon & South Tyrone Borough Council	2,930	3,190	3,230	3,280	3,350
Fermanagh District Council	2,680	2,910	3,000	3,130	3,180
Larne Borough Council	1,660	1,760	1,820	1,870	1,900
Limavady Borough Council	2,280	2,450	2,450	2,530	2,560
Lisburn City Council	5,320	5,700	5,810	5,930	6,050
Magherafelt District Council	2,060	2,240	2,240	2,310	2,330
Moyle District Council	950	1,030	1,050	1,050	1,070
Newry And Mourne District Council	5,700	6,050	6,180	6,300	6,350
Newtownabbey Borough Council	3,850	4,160	4,240	4,380	4,450
North Down Borough Council	2,750	2,960	3,040	3,150	3,220
Omagh District Council	3,150	3,430	3,480	3,560	3,620
Strabane District Council	2,740	2,980	3,010	3,060	3,100
Unknown	470	520	510	490	490
<b>Total N.I. Recipients</b>	<b>99,950</b>	<b>107,190</b>	<b>109,090</b>	<b>111,730</b>	<b>113,670</b>

The table below shows the number of people in receipt of Employment and Support Allowance in the quarter ending May 2015, broken down by new council area.

New council	ESA recipients MAY 2015
Antrim and Newtownabbey Borough Council	7,310
Armagh, Banbridge and Craigavon Borough Council	11,580
Belfast City Council	27,520
Causeway Coast and Glens District Council	8,990
Derry and Strabane District Council	12,540
Fermanagh and Omagh District Council	6,800
Lisburn and Castlereagh City Council	5,430
Mid Ulster District Council	7,940
Mid and East Antrim Borough Council	7,410
Newry, Mourne and Down District Council	10,630
North Down and Ards Borough Council	7,030
Unknown	500
<b>Total N.I. recipients</b>	<b>113,670</b>

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 Middleton** asked the Minister for Social Development to detail (i) what maintenance schemes are scheduled for Newbuildings, Londonderry; and (ii) the estimated start dates.

**(AQW 50820/11-16)**

**Mr Storey:** The NI Housing Executive has provided the following table detailing the schemes it has scheduled for Newbuildings. Please note that these schemes represent current intentions and may change subject to confirmation of funding and programmes.

Scheme	Estimated Start Date	Number of properties in Newbuildings
Stevenson Park/Goshaden Kitchens	01/04/2016	1
Retrofit Double Glazing Elder Crescent/Stevenson	02/05/2016	70
Waterside Heating 2016	05/09/2016	12
Primity Crescent /Terrace Kitchens	09/01/2017	69

Mr McNarry asked r for Social Development to detail the (a) highest amount claimed; and (ii) total claimed by the top ten claimants in benefits, in the last twelve months by a non-UK or Republic of Ireland citizen.

**(AQW 50881/11-16)**

**Mr Storey:**

- (i) The United Kingdom Statistics Authority Code of Practice prohibits the disclosure of information, which might identify an individual, therefore details of the highest amount of benefit claimed by a non-UK national cannot be provided.
- (ii) The total amount of Social Security Benefits paid to the top ten non-UK nationals claiming benefit in the 2014/2015 financial year was £290,000 (rounded to the nearest £1,000).
- (iii) The total amount of Social Security Benefits paid to the top ten UK nationals claiming benefit in the 2014/2015 financial year was £362,000 (rounded to the nearest £1,000).

**Mr Swann** asked the Minister for Social Development, pursuant to AQW 49717/11-16, to detail with whom the consultants engaged when drafting the Development Plan.

**(AQW 50883/11-16)**

**Mr Storey:** The appointed Consultants held two comprehensive rounds of meetings with all the public stakeholders who had expressed an interest in purchasing land within the St Patrick's Barracks site. The public stakeholders involved in these meetings

were NI Housing Executive, Mid & East Antrim (M&EA) Borough Council, Department of Education, Education Authority NI, Department of Employment & Learning, PSNI and the NI Science Park, in addition to the Department's Housing Division.

Other bodies contacted by the consultants during this period were M&EA Borough Council's Planning Department, Transport NI, Land and Property Services and the Reserve Forces and Cadets Association.

**Mr Flanagan** asked the Minister for Social Development, pursuant to AQW 49115/11-16, (i) to detail the number of Job Seekers Allowance claimants that have had a sanction applied from October 2014 to June 2015 as a result of the Steps 2 Success Programme; and (ii) how many of each type of sanction was applied.

**(AQW 50940/11-16)**

**Mr Storey:** It is not possible to differentiate between sanctions applied to claimants who were on the Steps to Work Programme and those who were participating in the Steps 2 Success programme, as the period specified in the question covers the time when Steps to Work Programme ended and Steps to Success commenced. It is also not possible to be accurate as to the number of individuals who may have been sanctioned as individuals may have been sanctioned more than once.

Figures are available on the total number of Jobseeker's Allowance claimants sanctioned during the period 1st October 2014 to 30th June 2015 whilst participating in one of these programmes. The total number of people sanctioned was 1,560.

The reasons for the application of sanctions are detailed below;

- Failure to attend a Steps to Work/Steps 2 Success interview – 1470
- Failure to accept a Steps to Work/Steps 2 Success place – 1
- Failure to start or complete Steps to Work/Steps 2 Success place - 89

**Mr Allen** asked the Minister for Social Development when community groups can apply for funding for Good Morning services in 2016-2017.

**(AQW 50950/11-16)**

**Mr Storey:** My recent Statement to the Assembly on the Regeneration Bill advised my conclusion that now is not the right time to go ahead with the transfer of the Department for Social Development's urban regeneration functions to local councils; and that my Department will continue to have responsibility for the delivery of functions, including relevant funding programmes, until such time as the Executive decides otherwise.

My Department currently provides support for Good Morning Services in Belfast under its Neighbourhood Renewal Investment Fund. Applications for support under that Fund were sought in 2014 and assessed on the basis of a three year funding period. The Department issued contracts for 2015/16 only, as it was intended that local councils would make decisions on any future financial support. My officials are now reviewing existing funding applications for possible funding in the 2016/17 financial year. This will be done in the light of available resources for 2016/17 and with no guarantee whatsoever that funding will be provided.

**Mr McKay** asked the Minister for Social Development to detail what additional cycling and cycle parking facilities have been provided (i) to departmental staff; and (ii) outside departmental buildings to increase the uptake of cycling.

**(AQW 50954/11-16)**

**Mr Storey:** The vast majority of the Department's staff and customer –facing services are located within buildings either owned or leased by the Department of Finance and Personnel. Therefore, any facilities available at those sites are as stated in the Department of Finance and Personnel Minister's related response.

There are a further twelve buildings that are either owned or leased by the Department for Social Development in which no additional facilities have been provided to increase the uptake of cycling. The majority of those are multi-occupancy sites thereby preventing the Department from making any such changes.

**Mr Rogers** asked the Minister for Social Development for a breakdown of the gender balance on each of his Department's publicly appointed boards and arm's-length bodies.

**(AQW 50957/11-16)**

**Mr Storey:** Please see attached table containing the gender balance for my Department's publicly appointed boards and arm's-length bodies.

Body	Number of Members	Number of Male Members	Number of Female Members
Northern Ireland Housing Executive	10	8	2
Charities Advisory Committee	4	2	2
Charity Commission for Northern Ireland	7	5	2
Vaughan's Charity	6	4	2



**Ms Maeve McLaughlin** asked the Minister for Social Development to detail the rationale behind the 25 per cent reduction in funding for the Gingerbread creche in Derry.

**(AQW 50965/11-16)**

**Mr Storey:** As with all Executive Departments, my Department was required to implement efficiencies across its business areas which included a reduction in the funding available to Neighbourhood Renewal projects. My Department had to undertake a robust approach with the aim of maximising the delivery of high quality services to the most disadvantaged and ensure funding was prioritised against the projects which had a greater focus on Neighbourhood Renewal areas. All projects which applied for funding, were subject to an evaluation and economic appraisal.

During this process, my Department concluded that the Gingerbread project in Londonderry did not have the focus on Neighbourhood Renewal areas that had originally been envisaged. In detailed analysis, it was found that a lower than expected proportion of people benefiting from Gingerbread's services came from Neighbourhood Renewal areas. For this reason, Gingerbread did not present itself as strongly as some of the other Neighbourhood Renewal projects, and funding was reduced by £10,000 in 2015/16.

However, my Department continues to fund £32,573 in 2015/16 towards this project and my officials continue to work closely with Gingerbread in optimising service delivery to those most in need.

**Mr Flanagan** asked the Minister for Social Development to detail (i) the value of the Christmas Bonus for social security claimants; (ii) when that amount was first set; (iii) a breakdown of the Christmas Bonus since its inception; (iv) how much is paid annually in Christmas Bonuses; and (v) whether he has any plans to increase the value of the Christmas Bonus.

**(AQW 50980/11-16)**

**Mr Storey:** A Christmas Bonus of £10 was introduced in 1972 and has remained unchanged, apart from 1975 and 1976 when no payment was made and 2008 when an additional £60 was paid.

A total of £5,159,000 was paid out on Christmas Bonuses in 2014/15. There are currently no plans to increase the value of the Christmas Bonus.

**Mr Allister** asked the Minister for Social Development whether Sinn Féin have made arrangements to repay benefits wrongly claimed by a councillor; and if so, whether the repayment includes interest on the sum owed.

**(AQW 50990/11-16)**

**Mr Storey:** There have been no arrangements made by Sinn Féin to repay any benefits wrongly claimed by a Councillor.

**Mr Dunne** asked the Minister for Social Development for an update on the Queen's Parade project.

**(AQW 51035/11-16)**

**Mr Storey:** My Department has secured full planning permission for a major regeneration scheme at Queen's Parade, Bangor. The proposals put forward will restore the area into an attractive, vibrant, inclusive place for everyone to enjoy and enhance the reputation of the town as a key tourist and shopping destination. The granting of planning permission is the first stage in the development process. My Department in conjunction with Council are working closely together and hope to appoint a private sector development partner in September 2016 to take forward the proposals.

**Mr Allister** asked the Minister for Social Development to detail how the calculation of the £240m set aside following the announcement of A Fresh Start on 17 November was determined in relation to Tax Credit ameliorations.

**(AQW 51144/11-16)**

**Mr Storey:** The monies included in the Fresh Start Agreement were the subject of discussion and agreement at the Executive.

**Mr Allister** asked the Minister for Social Development to detail how the calculation of the £345m set aside following the announcement of A Fresh Start on 17 November was determined in relation to welfare ameliorations.

**(AQW 51145/11-16)**

**Mr Storey:** The monies included in the Fresh Start Agreement were the subject of discussion and agreement at the Executive.

**Mr Allister** asked the Minister for Social Development for his assessment of the statement in paragraph 2.5 on page 23 of A Fresh Start that states the welfare and tax credit top-ups will be taken forward by the Assembly.

**(AQW 51146/11-16)**

**Mr Storey:** The monies included in the Fresh Start Agreement were the subject of discussion and agreement at the Executive.

**Mr Swann** asked the Minister for Social Development to detail which Department will be responsible for the former Ministry of Defence St Patrick's Barracks site in Ballymena following the reduction in the number of Executive Departments.

**(AQW 51170/11-16)**

**Mr Storey:** The Department for Social Development purchased the St Patrick's Barracks Site from the Office of the First Minister and Deputy First Minister on 30th September 2015 – AQW 49717/11-16 refers.

As the site was acquired by my Department for a housing-led regeneration scheme prior to re-structuring of Executive Departments, it will be transferred along with other existing functions of DSD into the new Department for Communities.

**Mr Dickson** asked the Minister for Social Development whether his Department intends to reassess claimants with lifetime Disability Living Allowance awards when transitioning to Personal Independence Payments.

(AQW 51210/11-16)

**Mr Storey:** Personal Independence Payment will replace Disability Living Allowance for working age claimants (age 16 – 64). All existing working age claimants with an indefinite (lifetime) award of Disability Living Allowance will be reassessed for Personal Independence Payment over a period of time.

**Mr Campbell** asked the Minister for Social Development to outline the measures taken to ensure the maximum take up of the Affordable Warmth Scheme.

(AQO 9150/11-16)

**Mr Storey:** The Affordable Warmth Scheme is a new and innovative approach to tackling fuel poverty in Northern Ireland. The scheme is delivered in partnership with the eleven local councils and the Northern Ireland Housing Executive. All eleven councils have shown full commitment to the new scheme and as well as assessing homes for Affordable Warmth they have been able to introduce other council services such as home safety checks. The Affordable Warmth Scheme's focus is on helping those in the most severe fuel poverty by targeting them directly and installing measures to increase energy efficiency in their homes. This approach has been endorsed by leading fuel poverty experts both in academia and lobbying organisations. The targeted nature of the Affordable Warmth Scheme means that there is no need to take any additional measures to maximise take up as local councils have extensive lists of potentially eligible homes to visit.

Already almost £9 million in Affordable Warmth grants has been approved to improve the energy efficiency of homes in the most severe fuel poverty. These homes are receiving cavity and loft insulation, new and improved heating systems, and even replacement windows if needed.

My Department has recognised that it is taking longer than anticipated to process applications and the Housing Executive is carrying out an urgent review of the process aimed at streamlining it, whilst maintaining financial and eligibility assurance levels. Some changes have already been made which will speed up the process.

My Department will also carry a comprehensive end-year-review to examine performance to date, scheme qualifying conditions, process effectiveness and delivery arrangements; including the potential for easier access to installers.

**Mr Agnew** asked the Minister for Social Development, pursuant to AQW 51087/11-16, whether (i) the top up fund agreed as part of the Stormont House Agreement incorporated the discretionary fund; (ii) the discretionary fund was paid from the block grant or from annually managed expenditure; and to detail what provision there will be for community care grants, budgeting loans and crisis loans.

(AQW 51294/11-16)

**Mr Storey:** The Stormont Agreement and Implementation Plan states that the discretionary fund is included in the funding for the top up scheme. This relates to Community Care Grants and Crisis Loans, which are funded from the Northern Ireland Block Grant.

The discretionary fund within social security comprises of elements which are funded both from Annually Managed Expenditure, primarily Budgeting Loans, and Block Grant which are the Community Care Grants and Crisis Loans.

The working group chaired by Professor Evason has been asked to bring forward proposals for top ups in Northern Ireland within the financial envelope provided for in the Stormont Agreement and Implementation Plan. These proposals could include replacements specifically for Community Care Grants and Crisis Loans which will be abolished by the Welfare Reform (NI) Order 2015. The Budgeting Loans will not be dealt with by Professor Evason as they will be replaced by Budgeting Advances when Universal Credit is introduced in Northern Ireland.

**Ms Fearon** asked the Minister for Social Development whether Neighbourhood Renewal will remain within his departmental remit or become a local council responsibility after April 2016.

(AQO 9149/11-16)

**Mr Storey:** My Department's Neighbourhood Renewal programme will come to an end if regeneration powers are extended and budgets transferred to Local Government. Thereafter it will be for Councils to decide how best to address the needs of their areas through their respective Community Plans; and to be clear there is no obligation on Councils to deliver programmes such as Neighbourhood Renewal, or to support any groups, including those currently supported under Neighbourhood Renewal, in the way that the Department currently does.

**Mr Gardiner** asked the Minister for Social Development how many new social housing units are planned for Upper Bann.  
(AQO 9151/11-16)

**Mr Storey:** I can advise you that there are currently 50 new social housing units under construction in the Lurgan and Portadown area which will be completed during this financial year. A further 52 units are programmed to start on site this year with an additional 80 units programmed to start in 2016/17.

Of course schemes may slip or be lost from a given programme year for a variety of reasons.

**Mr McQuillan** asked the Minister for Social Development whether he plans to release funding for improvement works for Portrush and its surrounding area ahead of the British Open in 2019.  
(AQO 9152/11-16)

**Mr Storey:** I believe the Open Championship offers a major opportunity to sustainably develop the tourism economy of Portrush and the North Coast in a way that will bring substantial benefits not only to the area but to Northern Ireland as a whole.

Before moving forward with a major regeneration programme for Portrush I need to seek the Executive's agreement on how this programme of works should be delivered and how it should be funded.

A paper setting out the programme of regeneration works for Portrush and a proposal for its delivery has been issued to Executive colleagues and I hope that it can be discussed and a way forward agreed at the earliest opportunity.

I have recently announced funding of £1.5M for a public Realm scheme in Portstewart, work will commence on this scheme before the end of November 2015.

**Mr Byrne** asked the Minister for Social Development to outline how he is addressing the issue of unfit social housing, particularly west of the Bann.  
(AQO 9154/11-16)

**Mr Storey:** The recent stock condition survey of the NIHE stock, completed by Savills as part of the joint DSD / NIHE Asset Commission, found that the number of NIHE properties which technically failed the Fitness standard was statistically negligible. Of approximately 25,000 properties surveyed by Savills only 24 could be categorised as technically "unfit", and of these around 5 were located west of the Bann.

However whilst the vast majority of NIHE stock currently meets the very minimum standards for social housing, significant investment will be needed to achieve and maintain a modern housing standard over the next thirty years. Delivery of the investment needed will require considerably increased resources to be available to the NIHE.

In the meantime, in line with the Interim Investment Plan, the NIHE has 16 schemes, totalling around 955 homes, either already underway or planned to commence in the next year in areas west of the Bann, worth a total investment of approximately £4.4m. Further necessary investment has been made in properties west of the Bann and continues to be made through planned and response maintenance, with around £38.4m committed to schemes during the last 2 years.

**Mrs Overend** asked the Minister for Social Development for an update on how many of the current households on the social housing waiting list are deemed to be statutorily homeless.  
(AQO 9155/11-16)

**Mr Storey:** As of 30 September 2015 there were 14,372 applicants deemed to be statutorily homeless under the rules of the housing selection scheme. To be statutorily homeless a number of factors are taken into account as set out in the Housing (NI) Order 1988. Applicants deemed to be statutorily homeless either have accommodation that is deemed inappropriate or no accommodation.

**Mr McElduff** asked the Minister for Social Development to outline his plans to bring departmentally controlled brown field sites back into use for the benefit of local communities.  
(AQO 9156/11-16)

**Mr Storey:** My Department currently retains ownership and control of a number of brown field sites in Northern Ireland and is currently progressing development opportunities for some of them, whilst considering regeneration options for others. I am willing to consider suitable proposals for the development of all such sites, and that includes encouraging Housing Associations to consider the use of public sector land for building new and affordable homes where possible. It should be noted that it is expected that brown field sites held for the purposes of regeneration will transfer to Councils when Reform of Local Government (RLG) is implemented at 1 April 2016.

**Mr Lyons** asked the Minister for Social Development for an update on the Northern Ireland Housing Executive's progress in relation to the Asset Management Strategy.  
(AQO 9157/11-16)

**Mr Storey:** The Housing Executive has drafted its first ever Asset Management Strategy and submitted it for consideration on the 2nd November. The Strategy sets out that the Housing Executive wishes to move to an active asset management approach across its housing stock and other assets. Once agreed the Strategy will provide a direction for the Housing Executive's long term investment approach.

The production of the draft Strategy is a significant achievement. I am confident that the use of active asset management principles by the Housing Executive will result in an improved delivery of services that will benefit tenants and help to sustain our social housing for future generations.

**Mr Agnew** asked the Minister for Social Development whether the top up fund as agreed as part of the Stormont House Agreement, incorporated the Northern Ireland Discretionary Social Fund.  
**(AQW 51358/11-16)**

**Mr Storey:** The Stormont Agreement and Implementation Plan states that the discretionary fund is included in the funding for the top up scheme. This relates to Community Care Grants and Crisis Loans which are funded from the Northern Ireland Block Grant.

## Northern Ireland Assembly Commission

**Mr B McCrea** asked the Assembly Commission whether there are any plans to upgrade the WiFi service in Parliament Buildings.  
**(AQO 9193/11-16)**

**Mr Gardiner (The Representative of the Assembly Commission):** The NI Assembly wireless network extends throughout Parliament Buildings and provides all building users with WiFi access to internet resources.

The Information Systems Office completely replaced the Assembly's wireless network infrastructure in August 2013 at a cost of £77,933. This project involved the installation of a fully resilient system comprising 2 wireless LAN controllers together with 90 wireless access points distributed throughout Parliament Buildings.

The system is used extensively by users and visitors to the building, serving in excess of 500 users on Assembly sitting days. The service is centrally managed, monitored and configured to ensure that it continues to provide comprehensive signal coverage throughout the building. Information Systems Office is not aware of any major problems with the WiFi service in Parliament Buildings and considers this system fit for purpose. The Assembly Commission therefore has no current plans to replace or significantly upgrade the service.

**Mr Craig** asked the Assembly Commission what measures it is taking to reduce costs.  
**(AQO 9198/11-16)**

**Mrs Cochrane (The Representative of the Assembly Commission):** The costs incurred by the Assembly Commission cover a range of different expenditure categories including Members' salaries and allowances, payments to Political Parties, Assembly Secretariat staffing costs and general administration costs.

The Member will be aware that the Commission has no control over the level of expenditure that is incurred on Members' salaries and allowances. All such costs are established by the Independent Financial Review Panel. Some 40% or just over 16 million pounds, of the Commission's budget for this year falls into this category. The Commission has no legal authority to reduce these costs.

For the remaining 60% of costs that are controllable by the Commission, the Commission has already delivered significant savings. For the four years of the Spending Review 2010 between 2011-12 and 2014-15, the Commission reduced its controllable budget by 3.1 million pounds. This saving was achieved through a comprehensive Business Efficiency Programme that looked at every business areas across the Assembly Secretariat to identify potential efficiency savings.

In this financial year alone, the Commission delivered a further saving of one point seven million pounds on its controllable budget and over the course of this financial year, 38 Full Time Equivalent posts will have been suppressed across the range of staff that provide services to the Assembly and its Members. These further savings were enabled through a package of cuts to contracts and services delivered as part of a Strategic Planning programme looking at this year and beyond.

The Commission will continue to deliver savings. It has been widely reported that a further cut of at least 5% will be applied to non-protected entities funded from the Northern Ireland Block Grant in 2016-17. The Commission is willing to play its part to meet that level of cut on the expenditure that it can control.

While the Commission remains committed to supporting the Assembly and its Members, the cuts to funding mean that the range and the quality of services that the Commission can provide will reduce; Members' expectations in this regard and their support for that approach will be required.

**Mr Kennedy** asked the Assembly Commission what discussions it has had with the Department of Finance and Personnel on the 2016-17 budget.

**(AQO 9200/11-16)**

**Mrs Cochrane (The Representative of the Assembly Commission):** As with all entities funded from the Northern Ireland Block Grant, discussions with the Department of Finance & Personnel on budget matters happen at formal and informal levels.

Discussions with the Department on the 2016-17 budget have focused on two specific aspects. Firstly, the need to implement an agreed methodology for setting the Assembly Commission's budget that recognises the constitutional independence of the Assembly from the Executive and, secondly, discussions on the actual level of budget that the Commission will require in 2016-17 to deliver the services required by the Assembly and by Members.

On 10 September and 10 November 2015, the Speaker, as Chair of the Assembly Commission, wrote to the Finance Minister to seek a meeting to discuss these two matters. A meeting has now been arranged for mid -December.

In his correspondence, the Speaker highlighted the Commission's view that an alternative approach to setting the Commission's budget is required that involves scrutiny of - and agreement to - the Commission's budget proposals by this House. He also noted that the Commission has delivered considerable savings over the recent period of austerity and he stressed the continuing commitment of the Commission to play its part in dealing with budgetary pressures for the next financial year and beyond.

In addition, Assembly Secretariat officials liaise with colleagues in the Department to help to inform the Commission's deliberations on its budget planning for coming years.

**Mr McKinney** asked the Assembly Commission for its assessment of the impact of proposed changes to Office Cost Expenditure on the services provided by Members to constituents.

**(AQO 9201/11-16)**

**Ms P Bradley (The Representative of the Assembly Commission):** The Assembly Commission is aware that the Independent Financial Review Panel has consulted widely on proposed changes to the quantum, structure and eligibility criteria for Office Cost Expenditure. The responsibility for determining the level of financial support for Members falls to Panel. Therefore, the Commission has no role in assessing the impact of changes proposed by the Panel – that responsibility falls to the Panel.

The Commission is aware that the limits for OCE have fallen by 11.5% from £75,857 per Member in 2011-12 to £67,161 in this financial year. However, the Commission's statutory role in this regard is to administer the financial support that is made available to Members in line with robust standards of governance, regularity and propriety.

The Commission is committed to supporting the Assembly and its Members within the limits of financial support that is available to Members.



# 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 Health, Social Services and Public Safety

*In Bound Volume 108, page WA286, replace AQW 47507/11-16 with:*

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety for an update on the Aseptic Unit Audit which was conducted by a Regional Quality Assurance team at Craigavon Area Hospital in December 2014; and to further detail any non-compliance issues were raised by this audit.  
**(AQW 47507/11-16)**

**Mr Hamilton (The Minister of Health, Social Services and Public Safety):** The RQA's December 2014 Audit made 9 findings. Of these one was classed as 'critical', one as 'major', and 7 as 'other minor'. The critical finding related to the facilities themselves which it judged did not meet EU requirements. A business case has been submitted to the Department and will be considered alongside other capital priorities. Other findings, related to aseptic processing; monitoring; documentation; product approval; materials, components & consumables and adherence to audit schedule, have been addressed. Work to address findings relating to personnel, training & competency assessment and the need for comprehensive contingency plans was completed in September 2015.

### Department for Social Development

*In this Bound Volume, page WA84, replace AQW 48485/11-16 with:*

**Mr McNarry** asked the Minister for Social Development to detail (i) the number of non EU nationals that are in receipt of benefits; and (ii) the detail the amount paid in each case, broken down by council area.  
**(AQW 48485/11-16)**

**Mr Storey (The Minister for Social Development):**

- (i) The number of non EU nationals in Northern Ireland that are in receipt of benefits at October 2015 is 2050.  
(ii) Number of non EU nationals in Northern Ireland in receipt of benefit detailing amount paid by Council Area

Local Government District	Credits Only	Under £50	£50 to under £100	£100 to Under £150	£150 and over
Antrim and Newtownabbey	10	10	30	30	40
Armagh, Banbridge and Craigavon	10	10	40	50	40
Belfast	30	70	220	370	220
Causeway Coast and Glens	0	10	20	20	30
Derry and Strabane	0	10	20	50	40
Fermanagh and Omagh	0	10	10	30	20
Lisburn and Castlereagh	0	20	40	40	50
Mid Ulster	10	10	20	20	40
Mid and East Antrim	0	0	20	30	30
Newry, Mourne and Down	10	10	30	50	40
North Down and Ards	10	20	50	40	50

Figures have been rounded to the nearest 10 and may not add to total, due to rounding.

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 the UK Statistics Authority.

## Department of Education

*In Bound Volume 108, page WA97, replace AQW 49367/11-16 with:*

**Mr Agnew** asked the Minister of Education, given the school term finishes at the end of June, to detail (i) why the cut off for children to start formal education includes children born on 1 July; and (ii) what consideration he has given to introducing flexibility to school starting ages.

**(AQW 49367/11-16)**

**Mr O'Dowd (The Minister of Education):** The date of commencement of compulsory school age was changed from five to four by the Education and Libraries (Northern Ireland) Order 1986 as amended by the Education Reform (Northern Ireland) Order 1989. This was to take account of the fact that many parents enrolled their children at four years of age and was to ensure that all children had access to an equal number of years of school. A cut off date of 1 July, provided clarity for parents and schools on the beginning of compulsory school age that was common to all children rather than relying on the date of birth of the individual child.

Following consultation on deferral of school starting age in exceptional circumstances earlier this year, I decided not to proceed with legislation in this Assembly mandate. As a result of calls from parents for clarity on this issue, I have asked the Education Authority to produce guidance for parents. I remain keen for legislation to be brought forward to address this issue in the next Assembly mandate.

*In this Bound Volume, page WA115, replace AQW 50198/11-16 with:*

**Mr McKay** asked the Minister of Education what investment is planned for Ballymena Nursery School to improve the health and safety of pupils.

**(AQW 50198/11-16)**

**Mr O'Dowd (The Minister of Education):** Ballymena Nursery School (NS) is a controlled nursery school and as such the Education Authority (EA) has responsibility for it. It is therefore for the EA to consider what schemes will be funded this year from within its limited capital budget allocation. The EA currently has five minor works schemes for Ballymena NS under consideration. While some of these schemes relate to health & safety matters, they are not of sufficient priority to be categorized as inescapable (which is where the priority currently is due to the constrained capital budget). However the EA has stated that it fully appreciates the needs of Ballymena Nursery School and that it will do its utmost to address accommodation issues at the school as resources permit.

## Department of Enterprise, Trade and Investment

*In this Bound Volume, page WA24, replace AQW 49742/11-16 with:*

**Ms Sugden** asked the Minister for Employment and Learning for his assessment of (i) Knowledge Transfer Partnerships between Further and Higher Education institutions and local companies; and (ii) how budget cuts are likely to impact on the ability of institutions to deliver the Partnerships.

**(AQW 49742/11-16)**

**Mr Bell (The Minister of Enterprise, Trade and Investment):** The higher and further education sectors in Northern Ireland fall under the remit of the Department for Employment and Learning (DEL) which provides funding support in relation to teaching, research and knowledge exchange.

In terms of supporting the Higher Education sector's continuing engagement with businesses and the wider community, DEL currently provides around £4 million per annum of underpinning, core funding through its Northern Ireland Higher Education Innovation Fund (NI HEIF).

Just one of the roles of NI HEIF is to support the universities' innovation and enterprise offices to provide practical assistance to academics and businesses to enable the development of high quality, competitive, proposals to Knowledge Transfer Partnerships (KTP) and to other important innovation initiatives.

With respect to KTP, both Queen's University and Ulster University have been highly successful. Queen's consistently tops the UK league table with respect to KTP awards and Ulster has recently moved up to sixth position out of 106 registered knowledge providers in the UK.

NI HEIF is complemented by DEL's Connected programme, an initiative supporting universities and further education colleges to work together for the benefit of local businesses. Currently funded at £1.1 million per annum, Connected also plays an important role in the promotion of KTPs and has been instrumental in encouraging the first college based projects.

Despite the wider cuts to the Higher Education budget, DEL has been able to protect NI HEIF and Connected, in recognition of both programmes' particular relevance and importance to the local economy. By taking the strategic decision to do this, DEL is safeguarding the ability of the universities to deliver KTPs and other business-facing activities.

On the Further Education (FE) side, DEL has increased the budget for the Employer Support Programme from £2 million in 2014/15 to £3.2 million in 2015/16 to implement and deliver a new strand of the programme, Skills Focus. This reaffirms the commitment of the Department to deliver training to businesses, enabling them to engage in innovation, upskill the workforce and gain qualifications.

Skills Focus, which was introduced in April 2015, aims to support, promote and facilitate collaborative working between business and FE colleges, in order to provide tailored skills provision to small and medium sized enterprises with fewer than 250 employees. The purpose of Skills Focus is to meet business needs by increasing the skills levels and employability of the existing workforce to qualifications at level 2 and above.

The other strand of the Employer Support Programme, InnovateUs, is designed to encourage and promote opportunities for small businesses and FE colleges to work together. In particular, the focus of the programme is to enable small businesses, with fewer than 50 employees, to acquire the skills necessary to engage in innovation activities and research and development across the business and underpin the development of these skills; promote progression in this area; and enable businesses to undertake additional and further forms of innovation, which will contribute to their growth and development, as well as increasing FE's role in economic development.

As with the Higher Education sector, this investment in the FE sector by DEL will serve to underpin the environment in which programmes such as KTP can flourish.

## Department of Agriculture and Rural Development

*In this Bound Volume, page WA233, replace AQW 50746/11-16 with:*

**Ms Sugden** asked the Minister of Agriculture and Rural Development, pursuant to AQW 49045/11-16, for her assessment of the number of farmers under the age of 30; and how young people are being encouraged and supported to invest in agri-businesses to ensure the future sustainability of this sector.

**(AQW 50746/11-16)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The last time data on age within the farm labour force was collected was under the EU Farm Structure Survey (FSS) in 2013. Age data was collected in bands and the category of interest (under 30) does not coincide with the thresholds used in the survey. The closest available group is people under 35 with day to day responsibility for managing a farm. In 2013 the number was in the region of 1335. Since then CAP reform measures may have impacted management arrangements, with more young people becoming farmers. This should be reflected in the numbers when the FSS is re-run in 2016.

Changes to the CAP in 2015 has seen the introduction of The Young Farmers' Payment (YFP), which provides assistance to young farmers establishing a business for the first time. Applicants must meet the eligibility conditions (which includes being under 40 years of age, having a Level II qualification and being Head of Holding ) to receive a top-up to their Basic Payment, which for 2015 equates to €81.28 per hectare. In addition, those eligible for the YFP can also apply to have the value of their Basic Payment entitlements valued at the regional average value. This will be favourable where they either have no entitlements or entitlements valued at less than the regional average.

The Farm Business Improvement Scheme (FBIS) will be an important part of our new Rural Development Programme 2014-20. I anticipate that it will include a portfolio of measures to support sustainable growth in the sector with the objectives to improve competitiveness and productivity in farming through increased efficiency, up-skilling on farm, farm modernisation and a commitment to working with supply chain partners to improve performance. It is important that young farmers take advantage of this programme of support in the years ahead.





# Journal of Proceedings



# Minutes of Proceedings





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# Northern Ireland Assembly

**Monday 2 November 2015**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Speaker's Business

### 2.1 Ministerial Appointment

The Speaker informed Members that, on 28 October 2015, Mrs Emma Pengelly had taken up the office of Junior Minister in the Office of the First Minister and deputy First Minister.

*The Speaker confirmed that the Member affirmed the terms of the Pledge of Office as set out in Schedule 4 to the Northern Ireland Act 1998 and confirmed the appointment.*

## 3. Public Petition

### 3.1 Public Petition – We want our Larne Line Timetable back

Mr Stewart Dickson was granted leave, in accordance with Standing Order 22, to present a Public Petition regarding the Larne railway timetable.

## 4. Executive Committee Business

### 4.1 First Stage – Shared Education Bill (NIA Bill 66/11-16)

The Minister of Education, Mr John O'Dowd, introduced a Bill to make provision in relation to shared education.

The Shared Education Bill (NIA Bill 66/11-16) passed First Stage and ordered to be printed.

## 5. Private Members' Business

### 5.1 Motion – Marriage Equality

*A valid Petition of Concern was presented under Standing Order 28, on Friday 23 October 2015 in relation to the Motion (Appendix 1).*

#### **Proposed:**

That this Assembly calls on the Executive to table legislation to allow for same sex marriage.

*Mr A Attwood  
Mr C Eastwood  
Ms C Ruane  
Mr D McKay*

*Debate ensued.*

The Question being put, the Motion was **negatived** on a cross community vote (Division).

**5.2 Motion – Mental Health****Proposed:**

That this Assembly recognises that mental ill health affects one in four people every year; further recognises the importance of having quality services that are fairly resourced, trained staff to afford early access and support, and a focus on prevention, resilience and mental wellbeing; recognises the importance of rehabilitation, with clear objectives established for accessing mental health professionals, within 28 days and close to home; further recognises the importance of raising awareness, reducing stigma and discrimination in relation to mental ill health; and calls for the Executive to work in collaboration to make dealing with mental ill health a top Programme for Government priority.

*Mr F McKinney*

*Mr D Bradley*

*Mrs D Kelly*

**5.3 Amendment****Proposed:**

Insert after third 'health;':

'urges broad support for the urgent implementation of the world class mental trauma service announced by the Minister of Health, Social Services and Public Safety in September;'

*Mr A Easton*

*Mrs P Cameron*

*Mr G Robinson*

*Mr T Buchanan*

*Debate ensued.*

*The debate was suspended for Question Time.*

**6. Assembly Business****6.1 Motion – Suspension of Standing Order 20(1)****Proposed:**

That Standing Order 20(1) be suspended for the 02 November 2015.

*Mr P Weir*

*Ms C Ruane*

*Mr P Ramsey*

*Mr R Swann*

*Mr S Dickson*

*The motion was not moved.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

**7. Question Time****7.1 Social Development**

Questions were put to, and answered by, the Minister for Social Development, Mr Mervyn Storey.

**7.2 Agriculture and Rural Development**

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

## 8. Private Members' Business (cont'd)

### 8.1 Motion – Mental Health (cont'd)

*Debate resumed.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Question being put, the Amendment was **made**.

The Question being put, the Motion, as amended, was **carried**.

## 9. Adjournment

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.50pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

2 November 2015

## Appendix 1

# The Northern Ireland Assembly

**The undersigned Members of the Northern Ireland Assembly presented a Petition of Concern, in accordance with Standing Order 28, on Friday 23 October 2015 in relation to the motion on Marriage Equality.**

- |                       |                        |
|-----------------------|------------------------|
| ■ Mr Sydney Anderson  | ■ Mr William Irwin     |
| ■ Ms Paula Bradley    | ■ Mr Nelson McCausland |
| ■ Mr Thomas Buchanan  | ■ Mr Ian McCrea        |
| ■ Mrs Pam Cameron     | ■ Mr David McIlveen    |
| ■ Mr Gregory Campbell | ■ Mr Adrian McQuillan  |
| ■ Mr Trevor Clarke    | ■ Mr Gary Middleton    |
| ■ Mr Jonathan Craig   | ■ The Lord Morrow      |
| ■ Mr Sammy Douglas    | ■ Mr Stephen Moutray   |
| ■ Mr Gordon Dunne     | ■ Mr Robin Newton      |
| ■ Mr Alex Easton      | ■ Mr Edwin Poots       |
| ■ Mr Paul Frew        | ■ Mr George Robinson   |
| ■ Mr Paul Girvan      | ■ Mr Alastair Ross     |
| ■ Mr Paul Givan       | ■ Mrs Emma Pengelly    |
| ■ Mrs Brenda Hale     | ■ Mr Peter Weir        |
| ■ Mr David Hilditch   | ■ Mr Jim Wells         |
| ■ Mr William Humphrey | ■ Mr Gordon Lyons      |

# Northern Ireland Assembly

2 November 2015

Division

## Motion – Marriage Equality

### Proposed:

That this Assembly calls on the Executive to table legislation to allow for same sex marriage.

*Mr A Attwood*

*Mr C Eastwood*

*Ms C Ruane*

*Mr D McKay*

The Question was put and the Assembly divided.

**Ayes:** 53

**Noes:** 52

## AYES

### Nationalist

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Ms Hanna, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

### Unionist

*Mr Allen, Mr McCallister, Mr B McCrea, Ms Sugden.*

### Other

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Ayes: Mrs McKevitt, Ms Ruane.*

## NOES

### Unionist

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, 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 Lyons, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Somerville, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

### Other

*Mr McCarthy.*

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

Total votes	105	Total Ayes	53	[50.5%]
Nationalist Vote	41	Nationalist Ayes	41	[100%]
Unionist Votes	55	Unionist Ayes	04	[07.3%]
Other Votes	09	Other Ayes	08	[88.9%]

Mr Nesbitt voted in both Lobbies and is therefore not counted in the result.

The Motion was **negatived** on a cross-community vote.



# Northern Ireland Assembly

## **Papers Presented to the Assembly on 21 October – 2 November 2015**

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

The Shared Education Bill (NIA Bill 66/11-16)

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

The Marine Plan Process in Northern Ireland (DOE).

Legislative Consent Memorandum – The Enterprise Bill (DFP).

Annual Report of the Commission for Victims and Survivors for Northern Ireland for the year ended March 2015 (OFMDFM).

The Northern Ireland Community Relations Council Annual Report and Accounts for the Year Ended 31 March 2015 (OFMDFM).

Attorney General for Northern Ireland Fifth Annual Report 2015/16 (OFMDFM).

### 5. Assembly Reports

### 6. Statutory Rules

S.R. 2015/356 The Attorney General's Human Rights Guidance (Police Service of Northern Ireland - Protection of Life) Order (Northern Ireland) 2015 (DOJ).

S.R. 2015/357 The Motor Vehicles (Driving Licences) (Amendment No. 3) Regulations (Northern Ireland) 2015 (DOE).

#### **For Information Only:**

S.R. 2015/358 (C. 30) The Justice (2015 Act) (Commencement No. 3) Order (Northern Ireland) 2015 (DOJ).

S.R. 2015/359 (C. 31) The Legal Aid and Coroners' Courts (2014 Act) (Commencement No. 2) Order (Northern Ireland) 2015 (DOJ).

### 7. Written Ministerial Statements

### 8. Consultation Documents

Consultation on a code of practice on the exercise of maritime powers under the Modern Slavery Act 2015 (DOJ).

Good Management Good Records (GMGR) (DHSSPS).

Consultation on the Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2015 (DE).

Addressing Bullying in Schools (Summary Report on Responses to Consultation) (DE).

Consultation: Review of the Non-Domestic Rating System (DFP).

9. Departmental Publications

10. Agency Publications

2015 Pay Award for Prison Grades (Appendix) (DOJ).

11. Westminster Publications

12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 3 November 2015**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement – Access to Justice Review Part II

The Minister of Justice, Mr David Ford, made a statement regarding the Access to Justice Review Part II, following which he replied to questions.

## 3. Private Members' Business

### 3.1 Final Stage – Children's Services Co-operation Bill (NIA Bill 44/11-16)

Mr Steven Agnew, moved that the Final Stage of the Children's Services Co-operation Bill (NIA Bill 44/11-16) do now pass.

*Debate ensued.*

The Children's Services Co-operation Bill (NIA Bill 44/11-16) passed Final Stage.

### 3.2 Motion – Post-Primary Transfer Process

#### **Proposed:**

That this Assembly notes that a solution to the post-primary transfer process has not been found; further notes that a one size fits all educational system will not work; believes that it is becoming increasingly unacceptable that, every year, thousands of young people are sitting unregulated transfer tests and that primary schools are placed in the difficult position of mediating between parental demand and Department of Education policies; further believes that the ongoing politicking of the issue does not address the seriousness of the matter; and calls on the Minister of Education to convene talks with all the major stakeholders in order to build consensus and agree a way forward on the issue.

*Mrs S Overend*

*Mr D Kennedy*

*The sitting was suspended at 12.59pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Beggs) in the Chair.*

## 4. Question Time

### 4.1 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture Arts and Leisure, Ms Carál Ní Chuilín.

### 4.2 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

## 5. Question for Urgent Oral Answer

### 5.1 Michelin Plant, Ballymena

The Minister of Enterprise, Trade and Investment, Mr Jonathan Bell, responded to a Question for Urgent Oral Answer tabled by Mr Jim Allister.

## 6. Private Members' Business (cont'd)

### 6.1 Motion – Post-Primary Transfer Process (cont'd)

*Debate resumed.*

The Question being put, the Motion was **carried** (Division).

## 7. Adjournment

Ms Claire Hanna spoke to her topic regarding the impact of rates on small businesses in South Belfast.

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.55pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

3 November 2015



# Northern Ireland Assembly

3 November 2015

Division

## Motion – Post-Primary Transfer Process

### Proposed:

That this Assembly notes that a solution to the post-primary transfer process has not been found; further notes that a one size fits all educational system will not work; believes that it is becoming increasingly unacceptable that, every year, thousands of young people are sitting unregulated transfer tests and that primary schools are placed in the difficult position of mediating between parental demand and Department of Education policies; further believes that the ongoing politicking of the issue does not address the seriousness of the matter; and calls on the Minister of Education to convene talks with all the major stakeholders in order to build consensus and agree a way forward on the issue.

*Mrs S Overend*

*Mr D Kennedy*

**Ayes:** 55

**Noes:** 24

### AYES

*Mr Agnew, Mr Allister, Mr Anderson, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Hamilton, Ms Hanna, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mr McKinney, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Somerville, Ms Sugden, Mr Swann, Mr Weir.*

*Tellers for the Ayes: Mr Kennedy, Mrs Overend.*

### NOES

*Mr Boylan, Ms Boyle, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Hazzard, Mr McMullan.*

The Question being put the motion was **carried**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 3 November 2015**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules

S.R. 2015/360 The Police (Appeals, Conduct and Unsatisfactory Performance and Attendance) (Amendment) Regulations (Northern Ireland) 2015 (DOJ).

### **For Information Only**

S.R. 2015/361 (C. 32) The Charities (2008 Act) (Commencement No. 6) Order (Northern Ireland) 2015 (DSD).

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.**

## Stages in Consideration of Public Bills 4 November 2015

### 2011-2016 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13	10.02.15 & 11.02.15	24.02.15	Bill fell at Final Stage on 26.05.15	
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14	24.06.14	28.04.15	09.06.15	24.06.15	24.07.15
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15	19.03.15	29.06.15			
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	25.03.15	02.06.15	16.06.15 & 22.06.15	30.06.15	24.07.15
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15	23.06.15	06.10.15		
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15	29.04.15	29.06.15			
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15	11.05.15	23.06.15
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15	28.05.15				
Budget Bill 45/11-16	09.02.15	16.02.15	/	/	17.02.15	23.02.15	24.02.15	12.03.15

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15					
Mental Capacity Bill 49/11-16	08.06.15	16.06.15	28.01.16					
Legal Complaints and Regulation Bill 50/11-16	08.06.15	16.06.15	18.12.15					
Water and Sewerage Services Bill 51/11-16	16.06.15	29.06.15	25.11.15					
Health and Social Care (Control of Data Processing) Bill 52/11-16	16.06.15	29.06.15	20.11.15					
Budget (No. 2) Bill 53/11-16	16.06.15	24.06.15	/	/	24.06.15	29.06.15	30.06.15	24.07.15
Pensions Schemes Bill 54/11-16	22.06.15	30.06.15	/	/				
Environmental Better Regulation Bill 55/11-16	22.06.15	30.06.15	27.11.15					
Credit Unions and Co-operative and Community Benefit Societies Bill 56/11-16	23.06.15	06.01.15	24.11.15					
Justice (No. 2) Bill 57/11-16	30.06.15	08.09.15	15.01.16					
Housing (Amendment) Bill 58/11-16	30.06.15							
Houses in Multiple Occupation Bill 60/11-16	07.09.15							
Shared Education Bill 66/11-16	02.11.15							



**2011-2016 Mandate  
Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re- introduced as Bill 30/11- 15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15					
Children's Services Co- operation Bill 44/11-16	08.12.14	26.01.15	03.07.15	02.07.15	29.09.15	19.10.15	03.11.15	
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.09.15	29.09.15	20.10.15			
Ombudsman and Commissioner for Complaints (Amendment) Bill 48/11-16	27.04.15	11.05.15	/	/	01.06.15	08.06.15	09.06.15	20.07.15
Rates (Relief for Amateur Sports Clubs) Bill 59/11-16	30.06.15	Bill fell at Second Stage on 20.10.15						
Civil Service (Special Advisers) (Amendment) Bill 61/11-16	14.09.15	Bill fell at Second Stage on 13.10.15						
Assembly and Executive Reform (Assembly Opposition) Bill 62/11-16	22.09.15	12.10.15	30.11.15					

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Local Government (Numbers and Addresses in Townlands) Bill 63/11-16	12.10.15							
Human Transplantation Bill 64/11-16	13.10.15							
Scrap Metal Dealers Bill 65/11-16	19.10.15							

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

**Monday 9 November 2015**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Public Petition

### 2.1 Public Petition – Autism Services

Mr Fearghal McKinney was granted leave, in accordance with Standing Order 22, to present a Public Petition regarding autism services.

## 3. Assembly Business

### 3.1 Motion – Committee Membership

#### **Proposed:**

That Mr Gary Middleton replace Mrs Emma Pengelly as a member of the Committee for Finance and Personnel; that Mr Gary Middleton replace Mr George Robinson as a member of the Committee for Health, Social Services and Public Safety; and that Mr George Robinson replace Mr Gary Middleton as a member of the Committee for the Environment.

*Mr P Weir  
Lord Morrow*

The Question being put, the Motion was **carried** without division.

## 4. Executive Committee Business

### 4.1 Statement – Update on Maghaberry Prison following Publication of the Criminal Justice Inspection Northern Ireland Inspection Report

The Minister of Justice, Mr David Ford, made a statement to provide an update on Maghaberry Prison following the publication of the Criminal Justice Inspection Northern Ireland Inspection Report, following which he replied to questions.

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

### 4.2 First Stage – Rural Needs Bill (NIA Bill 67/11-16)

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, introduced a Bill to impose a duty on public authorities to consider rural needs; and for connected purposes.

The Rural Needs Bill (NIA Bill 67/11-16) passed First Stage and ordered to be printed.

### 4.3 Second Stage – Housing (Amendment) Bill (NIA Bill 58/11-16)

The Minister for Social Development, Mr Mervyn Storey, moved the Second Stage of the Housing (Amendment) Bill (NIA Bill 58/11-16).

*Debate ensued.*

The Housing (Amendment) Bill (NIA Bill 58/11-16) passed Second Stage without division.

#### 4.4 Second Stage – Houses in Multiple Occupation Bill (NIA Bill 60/11-16)

*The Second Stage of the Houses in Multiple Occupation Bill (NIA Bill 60/11-16) was not moved.*

*The Speaker took the Chair.*

## 5. Question Time

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

Questions were put to, and answered by, the deputy First Minister, Mr Martin McGuinness. The junior Minister, Ms Jennifer McCann, also answered a number of questions.

#### 5.2 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

## 6. Question for Urgent Oral Answer

#### 6.1 Donaldson Report

Mr Jim Allister, put a Question for Urgent Oral Answer to the Minister of Health, Social Services and Public Safety.

*The Speaker informed the House that the Minister of Health, Social Services and Public Safety was unavailable to respond to the Question for Urgent Oral Answer at this time and that the question would be put at 3.30pm tomorrow, 10 November 2015.*

## 7. Committee Business

#### 7.1 Motion – Extension of Committee Stage: Assembly and Executive Reform (Assembly Opposition) Bill (NIA Bill 62/11-16)

##### **Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 26 January 2016, in relation to the Committee Stage of the Assembly and Executive Reform (Assembly Opposition) Bill (NIA Bill 62/11-16).

*Chairperson, Assembly and Executive Review Committee*

The Question being put, the Motion was **carried** without division.

## 8. Private Members' Business

#### 8.1 Motion – Ballymurphy 1971

##### **Proposed:**

That this Assembly calls on the Secretary of State to join with the Irish Government in supporting the proposed investigation into the events in Ballymurphy in 1971, when eleven civilians were killed, to be conducted on the same basis as the Hillsborough Football Stadium investigation and jointly funded by the two Governments.

*Mr T Lunn  
Ms R McCorley  
Mr A Maskey*

*Debate ensued.*

The Question being put, the Motion was **negatived** (Division).



## 9. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.38pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

9 November 2015

# Northern Ireland Assembly

9 November 2015

## Division

### Motion – Ballymurphy 1971

#### Proposed:

That this Assembly calls on the Secretary of State to join with the Irish Government in supporting the proposed investigation into the events in Ballymurphy in 1971, when eleven civilians were killed, to be conducted on the same basis as the Hillsborough Football Stadium investigation and jointly funded by the two Governments.

*Mr T Lunn*

*Ms R McCorley*

*Mr A Maskey*

**Ayes:** 44

**Noes:** 48

#### AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Ms McCorley, Mr Sheehan.*

#### NOES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr G Robinson, Mr Swann.*

The Question being put the motion was **negatived**.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 4 November – 9 November 2015

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

The Rural Needs Bill (NIA Bill 67/11-16).

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

Loughs Agency Annual Report and Accounts for the period ended December 2013 (DARD).

### 5. Assembly Reports

### 6. Statutory Rules

S.R. 2015/362 The Attorney General's Human Rights Guidance (Youth Justice Agency - Restorative Justice) Order (Northern Ireland) 2015 (AG).

S.R. 2015/363 The Water Supply (Water Quality) (Amendment) Regulations (Northern Ireland) 2015 (DRD).

S.R. 2015/365 The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations (Northern Ireland) 2015 (DHSSPS).

S.R. 2015/366 The Private Water Supplies (Amendment) Regulations (Northern Ireland) 2015 (DOE).

Draft S.R. 2015 The Draft Renewable Heat Incentive Schemes (Amendment) Regulations (Northern Ireland) 2015 (DETI).

### 7. Written Ministerial Statements

### 8. Consultation Documents

Consultation on draft amendments to the Sex Discrimination (Northern Ireland) Order 1976 (OFMDFM).

### 9. Departmental Publications

### 10. Agency Publications

Northern Ireland Prison Service - Report on the unannounced inspection of Maghaberry Prison 11-22 May 2015 (NIPS).

### 11. Westminster Publications

### 12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 10 November 2015**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Speaker's Business

### 2.1 Retirement of the Speaker, Mr Mitchel McLaughlin MLA

The Speaker announced his intention to submit evidence as part of the Assembly and Executive Review Committee's scrutiny of the Assembly and Executive Reform (Assembly Opposition) Bill (NIA Bill 62/11-16) and, to ensure that no conflict of interest existed, confirmed that he will not seek re-election as a Member of the Assembly at the end of the 2011-16 mandate and will cease to hold the office of Speaker following the election of the next Speaker.

## 3. Executive Committee Business

### 3.1 Second Stage: Shared Education Bill (NIA Bill 66/11-16)

The Minister of Education, Mr John O'Dowd, moved the Second Stage of the Shared Education Bill (NIA Bill 66/11-16).

*Debate ensued.*

*The sitting was suspended at 12.57pm.*

*The sitting resumed at 2.00pm, with the Speaker in the Chair.*

## 4. Question Time

### 4.1 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mr Jonathan Bell.

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

### 4.2 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Mark Durkan.

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 5. Executive Committee Business (cont'd)

### 5.1 Second Stage: Shared Education Bill (NIA Bill 66/11-16) (cont'd)

*Debate resumed.*

The Shared Education Bill (NIA Bill 66/11-16) passed Second Stage without division.



## 6. Private Members' Business

### 6.1 Motion – Regional Economic Imbalance

#### **Proposed:**

That this Assembly expresses concern at the high levels of regional economic imbalance, as evidenced by high levels of long term unemployment and economic inactivity in North and West Belfast, west of the Bann and along the border corridor; welcomes the commitment in the Programme for Government 2011-2015 to address regional imbalance, and the establishment of the Ministerial Sub Group on Regional Opportunities; recognises the role that the availability of property, skills, appropriate infrastructure and telecommunications can play in making areas magnets of attraction for investment; acknowledges the desire of local government, political, community and business leaders in areas of high unemployment to work in partnership with government to attract greater investment and prosperity; and calls for the inclusion of sub-regional job creation targets in the next Programme for Government.

*Mr P Flanagan*

*Ms M Fearon*

*Mr M Ó Muilleoir*

*Debate ensued.*

The Question being put, the Motion was **negatived** (Division).

*The Speaker took the Chair.*

### 6.2 Motion – Funding for Transport Infrastructure

#### **Proposed:**

That this Assembly, mindful of the transport infrastructure in the North West and conscious of the influence good transport infrastructure has in attracting new inward investment, asks that a special case be made to source the capital investment needed to complete the A5 cross-border project, the A6 dual carriageway, including the bypass for Dungiven, the final upgrade of the Belfast-Derry rail line that will ensure an hourly service, and the reopening of the Antrim-Portadown line to allow a direct service to Dublin.

*Mr J Dallat*

*Mr M Durkan*

*Mr C Eastwood*

*Mr P Ramsey*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 7. Question for Urgent Oral Answer

### 7.1 Donaldson Report

The Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, responded to a Question for Urgent Oral Answer tabled by Mr Jim Allister.

## 8. Adjournment

The Speaker announced that Mrs Overend was not in a position to move the Adjournment debate on care of older people in Mid Ulster.

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 7.22pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

10 November 2015

# Northern Ireland Assembly

10 November 2015

## Division

### Motion – Regional Economic Imbalance

#### Proposed:

That this Assembly expresses concern at the high levels of regional economic imbalance, as evidenced by high levels of long term unemployment and economic inactivity in North and West Belfast, west of the Bann and along the border corridor; welcomes the commitment in the Programme for Government 2011-2015 to address regional imbalance, and the establishment of the Ministerial Sub Group on Regional Opportunities; recognises the role that the availability of property, skills, appropriate infrastructure and telecommunications can play in making areas magnets of attraction for investment; acknowledges the desire of local government, political, community and business leaders in areas of high unemployment to work in partnership with government to attract greater investment and prosperity; and calls for the inclusion of sub-regional job creation targets in the next Programme for Government.

*Mr P Flanagan  
Ms M Fearon  
Mr M Ó Muilleoir*

**Ayes:** 38

**Noes:** 47

#### AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr Byrne, Mr Dickson, Mr Durkan, Ms Fearon, Mr Flanagan, Ms Hanna, Mrs D Kelly, Mr G Kelly, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Ms Sugden.*

*Tellers for the Ayes: Ms Fearon, Mr Ó Muilleoir.*

#### NOES

*Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

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

The Question being put the motion was **negatived**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 10 November 2015**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules
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.**

## Stages in Consideration of Public Bills 11 November 2015

### 2011-2016 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13	10.02.15 & 11.02.15	24.02.15	Bill fell at Final Stage on 26.05.15	
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14	24.06.14	28.04.15	09.06.15	24.06.15	24.07.15
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15	19.03.15	29.06.15			
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	25.03.15	02.06.15	16.06.15 & 22.06.15	30.06.15	24.07.15
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15	23.06.15	06.10.15		
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15	29.04.15	29.06.15			
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15	11.05.15	23.06.15
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15	28.05.15				
Budget Bill 45/11-16	09.02.15	16.02.15	/	/	17.02.15	23.02.15	24.02.15	12.03.15



<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15					
Mental Capacity Bill 49/11-16	08.06.15	16.06.15	28.01.16					
Legal Complaints and Regulation Bill 50/11-16	08.06.15	16.06.15	18.12.15					
Water and Sewerage Services Bill 51/11-16	16.06.15	29.06.15	25.11.15					
Health and Social Care (Control of Data Processing) Bill 52/11-16	16.06.15	29.06.15	20.11.15					
Budget (No. 2) Bill 53/11-16	16.06.15	24.06.15	/	/	24.06.15	29.06.15	30.06.15	24.07.15
Pensions Schemes Bill 54/11-16	22.06.15	30.06.15	/	/				
Environmental Better Regulation Bill 55/11-16	22.06.15	30.06.15	27.11.15					
Credit Unions and Co-operative and Community Benefit Societies Bill 56/11-16	23.06.15	06.01.15	24.11.15					
Justice (No. 2) Bill 57/11-16	30.06.15	08.09.15	15.01.16					
Housing (Amendment) Bill 58/11-16	30.06.15	09.11.15	11.01.16					
Houses in Multiple Occupation Bill 60/11-16	07.09.15							
Shared Education Bill 66/11-16	02.11.15	10.11.15						

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Rural Needs Bill 67/11-16	09.11.15							

**2011-2016 Mandate****Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15					
Children's Services Co-operation Bill 44/11-16	08.12.14	26.01.15	03.07.15	02.07.15	29.09.15	19.10.15	03.11.15	
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.09.15	29.09.15	20.10.15			
Ombudsman and Commissioner for Complaints (Amendment) Bill 48/11-16	27.04.15	11.05.15	/	/	01.06.15	08.06.15	09.06.15	20.07.15
Rates (Relief for Amateur Sports Clubs) Bill 59/11-16	30.06.15	Bill fell at Second Stage on 20.10.15						
Civil Service (Special Advisers) (Amendment) Bill 61/11-16	14.09.15	Bill fell at Second Stage on 13.10.15						

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Assembly and Executive Reform (Assembly Opposition) Bill 62/11-16	22.09.15	12.10.15	26.01.16					
Local Government (Numbers and Addresses in Townlands) Bill 63/11-16	12.10.15							
Human Transplantation Bill 64/11-16	13.10.15							
Scrap Metal Dealers Bill 65/11-16	19.10.15							

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

**Monday 16 November 2015**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Matter of the Day

### 2.1 Attacks in Paris

Mr Mike Nesbitt made a statement, under Standing Order 24, in relation to attacks in Paris. Other Members were also called to speak on the matter.

## 3. Assembly Business

### 3.1 Motion – Committee Membership

#### **Proposed:**

That Lord Morrow replace Mr Paul Girvan as a member of the Committee for Enterprise, Trade and Investment; and that Mr Paul Girvan replace Lord Morrow as a member of the Committee for the Environment.

*Mr P Weir*  
*Lord Morrow*

The Question being put, the Motion was **carried** without division.

## 4. Executive Committee Business

### 4.1 Consideration Stage – Pension Schemes Bill (NIA Bill 54/11-16)

The Minister for Social Development, Mr Mervyn Storey, moved the Consideration Stage of the Pension Schemes Bill (NIA Bill 54/11-16).

No amendments were tabled to the Bill.

#### **Clauses**

The question being put, it was **agreed** without division that clauses 1 to 53 stand part of the Bill.

#### **Schedules**

The question being put, it was **agreed** without division that schedules 1 and 2 stand part of the Bill.

#### **Long Title**

The question being put, the Long Title was **agreed** without division.

The Pension Schemes Bill (NIA Bill 54/11-16) stood referred to the Speaker.



## 5. Private Members' Business

### 5.1 Second Stage – Human Transplantation Bill (NIA Bill 64/11-16)

Mrs Jo-Anne Dobson moved the Second Stage of the Human Transplantation Bill (NIA Bill 64/11-16).

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 6. Question Time

### 6.1 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mrs Arlene Foster.

### 6.2 Health, Social Services and Public Safety

Questions were put to, and answered by, the Minister of Health, Social Services and Public Safety, Mr Simon Hamilton.

## 7. Assembly Business

### 7.1 Motion – Extension of Sitting – Monday 16 November 2015

#### **Proposed:**

That, in accordance with Standing Order 10(3A), the sitting on Monday 16th of November 2015 be extended to no later than 9.00pm.

*Ms C Ruane*

The The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 8. Private Members' Business (cont'd)

### 8.1 Second Stage – Human Transplantation Bill (NIA Bill 64/11-16) (cont'd)

*Debate resumed.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

The Human Transplantation Bill (NIA Bill 64/11-16) passed Second Stage (Division).

### 8.2 Second Stage – Scrap Metal Dealers Bill (NIA Bill 65/11-16)

Mr Roy Beggs, moved the Second Stage of the Scrap Metal Dealers Bill (NIA Bill 65/11-16).

*Debate ensued.*

The Scrap Metal Dealers Bill (NIA Bill 65/11-16) passed Second Stage without division.

## 9. Adjournment

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 8.51pm.*

**Mr Mitchel McLaughlin**  
**The Speaker**

16 November 2015

# Northern Ireland Assembly

16 November 2015

Division

**Second Stage – Human Transplantation Bill (NIA Bill 64/11-16)**

*Mrs J Dobson*

The Question was put and the Assembly divided.

**Ayes:** 46

**Noes:** 17

## **AYES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Beggs, Mr Boylan, Ms Boyle, Mr Dallat, Mr Dickson, Mrs Dobson, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mr G Kelly, Mr Kennedy, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms McCorley, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Ms Ruane, Mr Sheehan, Ms Sugden, Mr Wells.*

*Tellers for the Ayes: Mr Kennedy, Mr Nesbitt.*

## **NOES**

*Mr Anderson, Mr Bell, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Dunne, Mr Frew, Mr Girvan, Mr Hilditch, Mr Lyons, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Ross, Mr Storey.*

*Tellers for the Noes: Mr I McCrea, Mr Ross.*

The following Members voted in both Lobbies and are therefore not counted in the result: Ms P Bradley, Mr Douglas, Mr Easton, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr McCausland, Mr Middleton, Mr Weir.

The Question being put The Human Transplantation Bill (NIA Bill 64/11-16) passed Second Stage.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 11 November – 16 November 2015

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
  - UK Statistics Authority Annual Report and Accounts 2014/15 (UK Statistics Authority).
  - Northern Ireland Commissioner for Children and Young People Annual Report and Accounts for the year ended 31 March 2015 (OFMDFM).
  - Salmon and Inland Fisheries Annual Report 2012/13 (DCAL).
5. Assembly Reports
  - Report on the Special Educational Needs and Disability Bill - NIA 271/11-16 (Committee for Education).
6. Statutory Rules
  - S.R. 2015/364 The Charities Act (Examination of Accounts) Order (Northern Ireland) 2015 (DSD).
  - S.R. 2015/369 The Nitrates Action Programme (Amendment) Regulations (Northern Ireland) 2015 (DOE).
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
  - The Autism Strategy (2013-2020) and Action Plan (2013-2016) Progress Report September 2015 (DHSSPS).
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

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# Northern Ireland Assembly

**Tuesday 17 November 2015**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Second Stage: Rural Needs Bill (NIA Bill 67/11-16)

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, moved the Second Stage of the Rural Needs Bill (NIA Bill 67/11-16).

*Debate ensued.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

*The Speaker took the Chair.*

The Rural Needs Bill (NIA Bill 67/11-16) passed Second Stage without division.

### 2.2 Motion – The draft Renewable Heat Incentive Schemes (Amendment) Regulations (Northern Ireland) 2015 Proposed:

That the draft Renewable Heat Incentive Schemes (Amendment) Regulations (Northern Ireland) 2015 be approved.

*Minister of Enterprise, Trade and Investment*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 3. Private Members' Business

### 3.1 Second Stage: Local Government (Numbers and Addresses of Buildings in Townlands) Bill (NIA Bill 63/11-16)

Mr Phil Flanagan, moved the Second Stage of the Local Government (Numbers and Addresses of Buildings in Townlands) Bill (NIA Bill 63/11-16).

*Debate ensued.*

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

*The sitting was suspended at 1.00pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker in the Chair.*

## 4. Question Time

### 4.1 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

#### **4.2 Regional Development**

Questions were put to, and answered by, the Minister for Regional Development, Miss Michelle McIlveen.

*The Deputy Speaker (Mr Beggs) took the Chair.*

### **5. Executive Committee Business (cont'd)**

#### **5.1 Statement – GCSE Grading**

The Minister of Education, Mr John O'Dowd, made a statement on GCSE grading, following which he replied to questions.

### **6. Private Members' Business (cont'd)**

#### **6.1 Second Stage: Local Government (Numbers and Addresses of Buildings in Townlands) Bill (NIA Bill 63/11-16) (cont'd)**

*Debate resumed.*

The Local Government (Numbers and Addresses of Buildings in Townlands) Bill (NIA Bill 63/11-16) **fell** (Division).

### **7. Adjournment**

The Speaker announced that the Adjournment debate on the use of the Stormont Estate would not take place.

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.38pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

17 November 2015



# Northern Ireland Assembly

17 November 2015

Division

**Second Stage: Local Government (Numbers and Addresses of Buildings in Townlands) Bill (NIA Bill 63/11-16)**

*Mr P Flanagan*

The Question was put and the Assembly divided.

**Ayes:** 37

**Noes:** 37

## **AYES**

*Mr Agnew, Mr Boylan, Ms Boyle, Mr D Bradley, Mrs Cochrane, Mr Dickson, Mr Durkan, Ms Fearon, Mr Flanagan, Ms Hanna, 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, Ms McCorley, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Ms Maeve McLaughlin, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane.*

*Tellers for the Ayes: Mr Boylan, Mr Flanagan.*

## **NOES**

*Mr Allen, Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mrs Overend, Mr Poots, Mr Ross, Mr Storey, Ms Sugden, Mr Weir.*

*Tellers for the Noes: Mr Craig, Mr McQuillan.*

The Question being put the Local Government (Numbers and Addresses of Buildings in Townlands) Bill (NIA Bill 63/11-16) **fell**.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 17 November 2015

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules

S.R. 2015/367 The Smoke Control Areas (Authorised Fuels) (Amendment) Regulations (Northern Ireland) 2015 (DE).

## 7. Written Ministerial Statements

Written Statement to the Assembly by the Minister of Health on Progress of the Cross-Departmental Autism Strategy (2013 – 2020) and Action Plan (2013 – 2016) as at 30 September 2015 (DHSSPS).

## 8. Consultation Documents

Proposals for The Train Driving Licences and Certificates (Amendment) Regulations (Northern Ireland) 2016 - A Consultation Paper (DRD).

Proposals for The Penalty Fares (Increase) Order (Northern Ireland) 2016 - A Consultation Paper (DRD).

9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

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# Northern Ireland Assembly

**Wednesday 18 November 2015**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement – 2015-16 November Monitoring

The Minister of Finance and Personnel, Mrs Arlene Foster, made a statement on 2015-16 November Monitoring, following which she replied to questions.

## 3. Assembly Business

### 3.1 Motion – Suspension of Standing Order 42A

#### **Proposed:**

That Standing Order 42A be suspended in respect of the proposed introduction at Westminster of the Northern Ireland (Welfare Reform) Bill.

*Minister for Social Development*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

## 4. Executive Committee Business (cont'd)

### 4.1 Legislative Consent Motion – Welfare Reform

#### **Proposed:**

That this Assembly consents to the Northern Ireland (Welfare Reform) Bill 2015 being taken forward by the Westminster Parliament; approves the welfare clauses of the Welfare Reform and Work Bill as initially introduced at Westminster; the draft Welfare Reform (Northern Ireland) Order 2015; and the Executive's proposals to enhance payments flowing from the agreement announced on 17 November 2015.

*Minister for Social Development*

*Debate ensued.*

*The debate stood suspended.*

*The sitting was suspended at 11.50am.*

*The sitting resumed at 12.02pm, with the Speaker in the Chair.*

## 5. Private Members' Business

### 5.1 Motion for the Adjournment of a Debate

#### **Proposed:**

That this Assembly, in accordance with Standing Order 16, adjourns the debate on the Legislative Consent Motion: Welfare Reform, until the 24 November 2015.

*Mr J Allister*

*Debate ensued.*

The Question being put, the Motion was **negatived** (Division 1).

## 6. Executive Committee Business (cont'd)

### 6.1 Legislative Consent Motion – Welfare Reform (cont'd)

*Debate resumed.*

*The Principal Deputy Speaker (Mr Newton) took the chair.*

*The debate stood suspended at 1.56pm.*

*The sitting resumed at 2.25pm with the Principal Deputy Speaker (Mr Newton) in the Chair.*

The Deputy Speaker (Mr Dallat) took the chair.

The Speaker took the chair.

The Question being put, the Motion was **carried** (Division 2).

## 7. Adjournment

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.28pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

18 November 2015

# Northern Ireland Assembly

18 November 2015

Division 1

## Motion for the Adjournment of a Debate

### Proposed:

That this Assembly, in accordance with Standing Order 16, adjourns the debate on the Legislative Consent Motion: Welfare Reform, until the 24 November 2015.

*Mr J Allister*

**Ayes:** 33

**Noes:** 58

### AYES

*Mr Agnew, Mr Allen, Mr Allister, Mr Attwood, Mr Beggs, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Cochrane-Watson, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Gardiner, Ms Hanna, Mr Hussey, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McGlone, Mrs McKevitt, Mr McKinney, Mr McNarry, Mr A Maginness, Mr Nesbitt, Mrs Overend, Ms Sugden.*

*Tellers for the Ayes: Mr Allister, Mr B McCrea.*

### NOES

*Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr G Kelly, Mr Lynch, Mr Lyons, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Middleton, Mr Milne, Lord Morrow, Mr Moutray, Mr Murphy, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr McQuillan, Ms Ruane.*

The motion was **negatived**.



# Northern Ireland Assembly

18 November 2015

Division 2

## Legislative Consent Motion – Welfare Reform

### Proposed:

That this Assembly consents to the Northern Ireland (Welfare Reform) Bill 2015 being taken forward by the Westminster Parliament; approves the welfare clauses of the Welfare Reform and Work Bill as initially introduced at Westminster; the draft Welfare Reform (Northern Ireland) Order 2015; and the Executive's proposals to enhance payments flowing from the agreement announced on 17 November 2015.

*Minister for Social Development*

**Ayes:** 70

**Noes:** 22

### AYES

*Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyons, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Middleton, Mr Milne, Lord Morrow, Mr Moutray, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Pengelly, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr McQuillan, Ms Ruane.*

### NOES

*Mr Agnew, Mr Allen, Mr Allister, Mr Attwood, Mr Beggs, Mr D Bradley, Mr Cochrane-Watson, Mr Cree, Mrs Dobson, Mr Eastwood, Mr Gardiner, Ms Hanna, Mr Kennedy, Mr McCallister, Mrs McKevitt, Mr McKinney, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr Rogers, Ms Sugden, Mr Swann.*

*Tellers for the Noes: Mr McCallister, Mrs McKevitt.*

The motion was **carried**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 18 November 2015**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly  
Legislative Consent Memorandum Northern Ireland (Welfare Reform) Bill (DSD).
5. Assembly Reports  
Report on the Legislative Consent Motion: Enterprise Bill (Public sector employment: restrictions on exit payments) (Committee for Finance and Personnel) (NIA 278/11-16).  
Report on the Water and Sewerage Services Bill (Committee for Regional Development) (NIA 275/11-16).
6. Statutory Rules
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications  
Financial Auditing and Reporting: General Report by the Comptroller and Auditor General for Northern Ireland – 2015 (NIAO).
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.**

## Stages in Consideration of Public Bills 19 November 2015

### 2011-2016 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13	10.02.15 & 11.02.15	24.02.15	Bill fell at Final Stage on 26.05.15	
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14	24.06.14	28.04.15	09.06.15	24.06.15	24.07.15
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15	19.03.15	29.06.15			
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	25.03.15	02.06.15	16.06.15 & 22.06.15	30.06.15	24.07.15
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15	23.06.15	06.10.15		
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15	29.04.15	29.06.15			
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15	11.05.15	23.06.15
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15	28.05.15				
Budget Bill 45/11-16	09.02.15	16.02.15	/	/	17.02.15	23.02.15	24.02.15	12.03.15

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15	11.11.15				
Mental Capacity Bill 49/11-16	08.06.15	16.06.15	28.01.16					
Legal Complaints and Regulation Bill 50/11-16	08.06.15	16.06.15	18.12.15					
Water and Sewerage Services Bill 51/11-16	16.06.15	29.06.15	25.11.15	18.11.15				
Health and Social Care (Control of Data Processing) Bill 52/11-16	16.06.15	29.06.15	20.11.15					
Budget (No. 2) Bill 53/11-16	16.06.15	24.06.15	/	/	24.06.15	29.06.15	30.06.15	24.07.15
Pensions Schemes Bill 54/11-16	22.06.15	30.06.15	/	/	16.11.15			
Environmental Better Regulation Bill 55/11-16	22.06.15	30.06.15	27.11.15					
Credit Unions and Co-operative and Community Benefit Societies Bill 56/11-16	23.06.15	06.01.15	24.11.15					
Justice (No. 2) Bill 57/11-16	30.06.15	08.09.15	15.01.16					
Housing (Amendment) Bill 58/11-16	30.06.15	09.11.15	11.01.16					
Houses in Multiple Occupation Bill 60/11-16	07.09.15							
Shared Education Bill 66/11-16	02.11.15	10.11.15	12.01.16					



<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Rural Needs Bill 67/11-16	09.11.15	17.11.15	19.01.16					

**2011-2016 Mandate****Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15					
Children's Services Co-operation Bill 44/11-16	08.12.14	26.01.15	03.07.15	02.07.15	29.09.15	19.10.15	03.11.15	
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.09.15	29.09.15	20.10.15			
Ombudsman and Commissioner for Complaints (Amendment) Bill 48/11-16	27.04.15	11.05.15	/	/	01.06.15	08.06.15	09.06.15	20.07.15
Rates (Relief for Amateur Sports Clubs) Bill 59/11-16	30.06.15	Bill fell at Second Stage on 20.10.15						
Civil Service (Special Advisers) (Amendment) Bill 61/11-16	14.09.15	Bill fell at Second Stage on 13.10.15						

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Assembly and Executive Reform (Assembly Opposition) Bill 62/11-16	22.09.15	12.10.15	26.01.16					
Local Government (Numbers and Addresses in Townlands) Bill 63/11-16	12.10.15	Bill fell at Second Stage on 17.11.15						
Human Transplantation Bill 64/11-16	13.10.15	16.11.15	18.01.16					
Scrap Metal Dealers Bill 65/11-16	19.10.15	16.11.15	18.01.16					

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.

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# Northern Ireland Assembly

**Monday 23 November 2015**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement – Consultation on a Culture and Arts Strategy

The Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín, made a statement regarding the Consultation on a Culture and Arts Strategy, following which she replied to questions.

*The Principal Deputy Speaker (Mr Newton) took the Chair.*

### 2.2 First Stage – Health and Personal Social Services (Amendment) Bill (NIA Bill 68/11-16)

The Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, introduced a Bill to make provision about the Northern Ireland Social Care Council and other provision about social care workers.

The Health and Personal Social Services (Amendment) Bill (NIA Bill 68/11-16) passed First Stage and ordered to be printed.

### 2.3 Further Consideration Stage – Pension Schemes Bill (NIA Bill 54/11-16)

The Minister for Social Development, Mr Mervyn Storey, moved the Further Consideration Stage of the Pension Schemes Bill.

No amendments were tabled to the Bill.

The Pension Schemes Bill (NIA Bill 54/11-16) stood referred to the Speaker in accordance with Section 10 of the Northern Ireland Act 1998.

## 3. Committee Business

### 3.1 Motion – Extension of Committee Stage: Credit Unions and Co-operative and Community Benefit Societies Bill (NIA Bill 56/11-16)

#### **Proposed:**

That, in accordance with Standing Order 33 (4), the period referred to in Standing Order 33 (2) be extended to 29 January 2016, in relation to the Committee Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill (NIA 56/11-16).

*Chairperson, Committee for Enterprise, Trade and Investment*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 3.2 Motion – The European Social Fund

#### Proposed:

That this Assembly acknowledges the important role of the European Social Fund in delivering essential support and services to the most vulnerable people in Northern Ireland; recognises the challenges faced by the community and voluntary sectors in the administration of the current and previous programmes; and calls on the Department for Employment and Learning to learn from its mistakes and to ensure that it works in partnership with the community and voluntary sector to deliver, efficiently and effectively, the European Social Fund programme.

*Chairperson, Committee for Employment and Learning*

*Debate ensued.*

*The Speaker took the Chair.*

*The debate was suspended for Question Time.*

## 4. Question Time

### 4.1 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, Mrs Emma Pengelly, also answered a number of questions.

### 4.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Mervyn Storey.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 5. Committee Business (cont'd)

### 5.1 Motion – The European Social Fund (cont'd)

*Debate resumed.*

The Question being put, the Motion was **carried** without division.

## 6. Private Members' Business

### 6.1 Motion – Reduction in the Number of MLAs

#### Proposed:

That this Assembly notes that the Stormont House Agreement contains a deadline to reduce the number of MLAs from 108 to 90 by 2021 and the number of Executive Departments in time for the 2016 Assembly term; believes that there is an opportunity to reform the size of the Assembly and the number of Executive Departments to the same timescale; and calls on the Executive to ensure any legislation will see that the reduction in the number of MLAs takes places in time for the 2016 elections.

*Mr S Dickson*

*Mr C Lyttle*

*Mr K McCarthy*

*Dr S Farry*

*Debate ensued.*

The Question being put, the Motion was **negatived** without division.

## 7. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.49pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

23 November 2015



# Northern Ireland Assembly

## **Papers Presented to the Assembly on 19 November – 23 November 2015**

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

Health and Personal Social Services (Amendment) Bill (NIA Bill 68/11-16).

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

### 5. Assembly Reports

Report on the Health and Social Care (Control of Data Processing) Bill (NIA Bill 52/11-16) (NIA 274/11-16) (Committee for Health, Social Services and Public Safety).

Examiner of Statutory Rules 6th Report 2015/16 (NIA 279/11-16).

Report on the Environmental Better Regulation Bill (NIA Bill 55/11-16) (NIA 277/11-16) (Committee for the Environment).

### 6. Statutory Rules

S.R. 2015/372 The Occupational Pension Schemes (Power to Amend Schemes to Reflect Abolition of Contracting-out) Regulations (Northern Ireland) 2015 (DSD).

#### **For Information Only**

S.R. 2015/339 Correction Slip - The Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2015 (DETI).

S.R. 2015/368 The Rules of the Court of Judicature (Northern Ireland) (Amendment No. 2) 2015 (DOJ).

S.R. 2015/370 The Victim Charter (Justice Act (Northern Ireland) 2015) Order (Northern Ireland) 2015 (DOJ).

### 7. Written Ministerial Statements

### 8. Consultation Documents

### 9. Departmental Publications

### 10. Agency Publications

### 11. Westminster Publications

### 12. Miscellaneous Publications

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# Northern Ireland Assembly

**Tuesday 24 November 2015**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Final Stage – Pension Schemes Bill (NIA Bill 54/11-16)

The Minister for Social Development, Mr Mervyn Storey, moved that the Final Stage of the Pension Schemes Bill (NIA Bill 54/11-16) do now pass.

*Debate ensued.*

The Pension Schemes Bill (NIA Bill 54/11-16) passed Final Stage.

## 3. Committee Business

### 3.1 Motion – Extension of Committee Stage: Housing (Amendment) Bill (NIA Bill 58/11-16)

**Proposed:**

That, in accordance with Standing Order 33 (4), the period referred to in Standing Order 33 (2) be extended to 15 January 2016, in relation to the Committee Stage of the Housing (Amendment) Bill (NIA Bill 58/11-16).

*Chairperson, Committee for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 4. Private Members' Business

### 4.1 First Stage – Licensing Bill (NIA Bill 69/11-16)

Mrs Judith Cochrane, introduced a Bill to make provision for the granting of licences to authorise the sale of intoxicating liquor at outdoor stadia.

The Licensing Bill (NIA Bill 69/11-16) passed First Stage and ordered to be printed.

#### 4.2 Motion – Replacement of the Trident Nuclear Weapons Programme

**Proposed:**

That this Assembly notes with concern the analysis by the Chair of the Foreign Affairs Committee in Westminster that suggests that the cost to replace the Trident nuclear weapons programme has risen to £167 billion; believes that it is indefensible for the British Government to commit billions of pounds of public money to nuclear weapons, particularly when individuals and families both locally and across Britain are experiencing the consequences of austerity measures; and calls on the British Government to cancel its plans for the renewal of Trident.

*Mr C Murphy  
Mr M Ó Muilleoir  
Ms M Fearon*

*Debate ensued.*

The Question being put, the Motion was **negatived** (Division).

*The sitting was suspended at 12.23pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr Newton) in the Chair.*

### 5. Question Time

#### 5.1 Agriculture and Rural Development

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

#### 5.2 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

#### 5.3 Assembly Commission

Questions were put to, and answered by, Members of the Assembly Commission.

*The Deputy Speaker (Mr Dallat) took the Chair.*

### 6. Adjournment

Mrs Sandra Overend spoke to her topic regarding the care of older people in Mid Ulster.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.41pm.*

**Mr Mitchel McLaughlin**  
**The Speaker**

24 November 2015

# Northern Ireland Assembly

24 November 2015

Division

## Motion – Replacement of the Trident Nuclear Weapons Programme

### Proposed:

That this Assembly notes with concern the analysis by the Chair of the Foreign Affairs Committee in Westminster that suggests that the cost to replace the Trident nuclear weapons programme has risen to £167 billion; believes that it is indefensible for the British Government to commit billions of pounds of public money to nuclear weapons, particularly when individuals and families both locally and across Britain are experiencing the consequences of austerity measures; and calls on the British Government to cancel its plans for the renewal of Trident.

*Mr C Murphy*

*Mr M Ó Muilleoir*

*Ms M Fearon*

The Question was put and the Assembly divided.

**Ayes:** 44

**Noes:** 44

### AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Mr Flanagan, Mr Ford, Ms Hanna, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Milne, Mr Murphy, Ms Ni Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Hazzard, Ms Ruane.*

### NOES

*Mr Allen, Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Gardiner, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr Middleton, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr Cochrane-Watson, Mr G Robinson.*

The Question being put, the Motion was **negatived**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 24 November 2015**

### **1. Acts of the Northern Ireland Assembly**

### **2. Bills of the Northern Ireland Assembly**

The Licensing Bill (NIA Bill 69/11-16)

### **3. Orders in Council**

### **4. Publications Laid in the Northern Ireland Assembly**

Annual Report of the Commissioner for Older People for Northern Ireland for the year ended 31 March 2015 (OFMDFM).

Legislation Consent Memorandum – Housing and Planning Bill (DETI).

Criminal Justice Inspection Northern Ireland - An Inspection of the Quality and Timeliness of Police Files (Incorporating Disclosure) Submitted to the Public Prosecution Service for Northern Ireland (DOJ).

### **5. Assembly Reports**

Report on the Credit Unions and Co-operative and Community Benefit Societies Bill (NIA Bill 56//11-16) (NIA 280/11-16) (Committee for Enterprise, Trade and Investment).

Report on a complaint against Mr Barry McElduff MLA (NIA 273/11-16) (Committee on Standards and Privileges).

### **6. Statutory Rules**

### **7. Written Ministerial Statements**

### **8. Consultation Documents**

### **9. Departmental Publications**

### **10. Agency Publications**

### **11. Westminster Publications**

### **12. Miscellaneous Publications**

Commission Investigation under Paragraph 11 of Schedule 9 of the Northern Ireland Act 1998: Department of Social Development: Housing Policy Proposals (Equality Commission).



# 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.**

## Stages in Consideration of Public Bills 25 November 2015

### 2011-2016 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	17.09.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13	10.02.15 & 11.02.15	24.02.15	Bill fell at Final Stage on 26.05.15	
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14	24.06.14	28.04.15	09.06.15	24.06.15	24.07.15
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15	19.03.15	29.06.15			
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	25.03.15	02.06.15	16.06.15 & 22.06.15	30.06.15	24.07.15
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15	23.06.15	06.10.15		
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15	29.04.15	29.06.15			
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15	11.05.15	23.06.15
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15	28.05.15				
Budget Bill 45/11-16	09.02.15	16.02.15	/	/	17.02.15	23.02.15	24.02.15	12.03.15

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15	11.11.15				
Mental Capacity Bill 49/11-16	08.06.15	16.06.15	28.01.16					
Legal Complaints and Regulation Bill 50/11-16	08.06.15	16.06.15	18.12.15					
Water and Sewerage Services Bill 51/11-16	16.06.15	29.06.15	25.11.15	18.11.15				
Health and Social Care (Control of Data Processing) Bill 52/11-16	16.06.15	29.06.15	20.11.15	18.11.15				
Budget (No. 2) Bill 53/11-16	16.06.15	24.06.15	/	/	24.06.15	29.06.15	30.06.15	24.07.15
Pensions Schemes Bill 54/11-16	22.06.15	30.06.15	/	/	16.11.15	23.11.15	24.11.15	
Environmental Better Regulation Bill 55/11-16	22.06.15	30.06.15	27.11.15	19.11.15				
Credit Unions and Co-operative and Community Benefit Societies Bill 56/11-16	23.06.15	06.01.15	24.11.15	29.11.15				
Justice (No. 2) Bill 57/11-16	30.06.15	08.09.15	15.01.16					
Housing (Amendment) Bill 58/11-16	30.06.15	09.11.15	15.01.16					
Houses in Multiple Occupation Bill 60/11-16	07.09.15							
Shared Education Bill 66/11-16	02.11.15	10.11.15	12.01.16					

<b>Title &amp; NIA Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Rural Needs Bill 67/11-16	09.11.15	17.11.15	19.01.16					
Health and Personal Social Services (Amendment) Bill 68/11-16	23.11.15							

**2011-2016 Mandate****Non-Executive Bills**

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15	14.10.15				
Children's Services Co-operation Bill 44/11-16	08.12.14	26.01.15	03.07.15	02.07.15	29.09.15	19.10.15	03.11.15	
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.09.15	29.09.15	20.10.15			
Ombudsman and Commissioner for Complaints (Amendment) Bill 48/11-16	27.04.15	11.05.15	/	/	01.06.15	08.06.15	09.06.15	20.07.15
Rates (Relief for Amateur Sports Clubs) Bill 59/11-16	30.06.15	Bill fell at Second Stage on 20.10.15						

<b>Title &amp; Bill Number</b>	<b>First Stage</b>	<b>Second Stage</b>	<b>Comm. Stage to Conclude</b>	<b>Report Ordered to be Printed</b>	<b>CS</b>	<b>FCS</b>	<b>Final Stage</b>	<b>Royal Assent</b>
Civil Service (Special Advisers) (Amendment) Bill 61/11-16	14.09.15	Bill fell at Second Stage on 13.10.15						
Assembly and Executive Reform (Assembly Opposition) Bill 62/11-16	22.09.15	12.10.15	26.01.16					
Local Government (Numbers and Addresses in Townlands) Bill 63/11-16	12.10.15	Bill fell at Second Stage on 17.11.15						
Human Transplantation Bill 64/11-16	13.10.15	16.11.15	18.01.16					
Scrap Metal Dealers Bill 65/11-16	19.10.15	16.11.15	18.01.16					
Licensing Bill 69/11-16	24.11.15							

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.





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# Northern Ireland Assembly

**Monday 30 November 2015**

*The Assembly met at noon, the Speaker 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 30 November 2015.

*Mr P Weir  
Ms C Ruane  
Mr P Ramsey  
Mr R Swann  
Mr S Dickson*

The Question being put, the Motion, was **carried** with cross-community support *nemine contradicente*.

### 2.2 Motion – Committee Membership

**Proposed:**

That Mr Danny Kennedy replace Mr Neil Somerville as a member of the Committee for Justice.

*Mr R Swann  
Mrs S Overend*

The Question being put, the Motion was **carried** without division.

### 2.3 Motion – Committee Membership

**Proposed:**

That Ms Claire Hanna replace Mr Colum Eastwood as a member of the Committee for the Environment.

*Mr P Ramsey  
Mrs K McKeivitt*

The Question being put, the Motion was **carried** without division.

## 3. Executive Committee Business

### 3.1 Statement – Sub-Regional Stadia Programme for Soccer

The Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín, made a statement regarding the Consultation on the Sub-Regional Stadia Programme for Soccer, following which she replied to questions.

**3.2 First Stage – Departments Bill (NIA Bill 70/11-16)**

The junior Minister, Ms Jennifer McCann, introduced a Bill to rename the Office of the First Minister and deputy First Minister, the Department of Agriculture and Rural Development, the Department of Enterprise, Trade and Investment, the Department of Finance and Personnel, the Department of Health, Social Services and Public Safety, the Department for Regional Development and the Department for Social Development; to dissolve the Department of Culture, Arts and Leisure, the Department of the Environment and the Department for Employment and Learning; and for connected purposes.

The Departments Bill (NIA Bill 70/11-16) passed First Stage and ordered to be printed.

**3.3 First Stage – Addressing Bullying in Schools Bill (NIA Bill 71/11-16)**

The Minister of Education, Mr John O'Dowd, introduced a Bill to address bullying in grant-aided schools.

The Addressing Bullying in Schools Bill (NIA Bill 71/11-16) passed First Stage and ordered to be printed.

**3.4 First Stage – Health (Miscellaneous Provisions) Bill (NIA Bill 72/11-16)**

The Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, introduced a Bill to regulate the sale of nicotine products and tobacco, to amend the Health and Personal Social Services (Northern Ireland) Order 1972 and the Health (Miscellaneous Provisions) Act (Northern Ireland) 2008 in relation to the provision of health care; and for connected purposes.

The Health (Miscellaneous Provisions) Bill (NIA Bill 72/11-16) passed First Stage and ordered to be printed.

**3.5 Further Consideration Stage – Food Hygiene Rating Bill (NIA Bill 41/11-16)**

The Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, moved the Further Consideration Stage of the Food Hygiene Rating Bill.

One amendment was tabled to the Bill.

**Clauses**

After debate, Amendment 1 to Clause 17 was **made** without division.

The Food Hygiene Rating Bill (NIA Bill 41/11-16) stood referred to the Speaker in accordance with section 10 of the Northern Ireland Act 1998.

**4. Committee Business****4.1 Further Consideration Stage – Public Services Ombudsperson Bill (NIA Bill 47/11-16)**

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister, Mr Mike Nesbitt, moved the Further Consideration Stage of the Public Services Ombudsperson Bill.

Three hundred and twenty seven amendments were tabled to the Bill and selected for debate.

**Clauses**

After debate, Amendment 1 to Clause 1 was **made** without division.

After debate, Amendments 2 to 11 to Clauses 1, 2, 3 and 4 were **made** without division.

After debate, Amendment 12 to Clause 4 was **made** without division.

After debate, Amendments 13 to 20 to Clauses 5, 6, 7 and 8 were **made** without division.

After debate, Amendment 21 to Clause 8 was **made** without division.

After debate, Amendments 22 to 27 to Clauses 9, 10, and 11 were **made** without division.

After debate, Amendment 28 to Clause 12 was **made** without division.

After debate, Amendment 29 to Clause 12 was **made** without division.

After debate, Amendment 30 to Clause 12 was **made** without division.

*The sitting was suspended at 1.53pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr Newton) 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 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

## 6. Question for Urgent Oral Answer

### 6.1 Care Home Closures

The Minister of Health, Social Services and Public Safety, Mr Simon Hamilton, responded to a Question for Urgent Oral Answer tabled by Mr Chris Lyttle.

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 7. Committee Business (cont'd)

### 7.1 Further Consideration Stage – Public Services Ombudsperson Bill (NIA Bill 47/11-16) (cont'd)

*Debate resumed.*

After debate, Amendment 31 to Clause 13 was **negatived** on division (Division 1).

After debate, Amendments 32 to 34 to Clauses 14, 15 and 16 were **made** without division.

After debate, Amendments 35 and 36 to Clause 16 were **made** without division.

After debate, Amendment 37 to Clause 17 was **made** without division.

After debate, Amendment 38 to Clause 18 was **made** without division.

After debate, Amendment 39 to Clause 18 was **made** without division.

After debate, Amendment 40 to Clause 18 was **made** without division.

After debate, Amendments 41 and 42 to Clause 18 were **made** without division.

After debate, Amendment 43 to Clause 19 was **made** without division.

After debate, Amendment 44 to Clause 19 was **made** without division.

After debate, Amendments 45 to 50 to Clauses 20, 21 and 22 were **made** without division.

After debate, Amendment 51 to Clause 22 was **made** without division.

After debate, Amendment 52 to Clause 22 was **made** without division.

After debate, Amendments 53 to 74 to Clauses 23, 24, 25, 26, 28, 29 and 30 were **made** without division.

After debate, Amendment 75 to Clause 30 was **negatived** without division.

After debate, Amendments 76 to 85 to Clauses 30, 31 and 33 were **made** without division.

*Amendment 86 was not moved.*

After debate, Amendment 87 to Clause 33 was **made** without division.

After debate, Amendment 88 to Clause 33 was **made** without division.

After debate, Amendment 89 to Clause 34 was **made** without division.

After debate, Amendment 90 to Clause 34 was **made** without division.

After debate, Amendment 91 to Clause 34 was **made** without division.

After debate, Amendments 92 to 105 to Clauses 35, 37 and 38 were **made** without division.

After debate, Amendment 106 to Clause 38 was **made** without division.

After debate, Amendments 107 to 138 to Clauses 38, 39, 40, 42, 43, 44, 45 and 46 were **made** without division.

After debate, Amendment 139 to Clause 46 was **negatived** without division.

After debate, Amendments 140 to 150 to Clauses 46, 47 and 48 were **made** without division.

After debate, Amendment 151 to Clause 48 was **made** without division.

After debate, Amendments 152 to 155 to Clauses 48 and 49 were **made** without division.

After debate, Amendments 156 and 157 to Clause 49 were **made** without division.

After debate, Amendments 158 to 170 to Clauses 49, 50, 51, 52 and 54 were **made** without division.

After debate, Amendment 171 to Clause 54 was **made** without division.

After debate, Amendment 172 to Clause 54 was **made** without division.

After debate, Amendment 173 to Clause 55 was **made** without division.

After debate, Amendments 174 to 181 to Clauses 55, 56, 57, 58 and 59 were **made** without division.

After debate, Amendment 182 to Clause 64 was **made** without division.

After debate, Amendment 183 to Clause 64 was **made** without division.

After debate, Amendment 184 to Clause 64 was **made** without division.

After debate, Amendment 185 to Clause 64 was **made** without division.

After debate, Amendment 186 to Clause 64 was **made** without division.

After debate, Amendments 187 to 207 to Clause 66 and Schedule 1 were **made** without division.

#### **Schedules**

After debate, Amendment 208 to Schedule 1 was **made** without division.

After debate, Amendments 209 to 236 to Schedule 1 were **made** without division.

After debate, Amendment 237 to Schedule 1 was **made** without division.

After debate, Amendments 238 to 261 to Schedule 1 were **made** without division.

After debate, Amendment 262 to Schedule 2 was **made** without division.

After debate, Amendments 263 to 277 to Schedule 2 were **made** without division.

After debate, Amendment 278 to Schedule 2 was **made** without division.

After debate, Amendment 279 to Schedule 2 was **made** without division.

After debate, Amendment 280 to Schedule 2 was **made** without division.

After debate, Amendments 281 and 282 to Schedule 2 were **made** without division.

After debate, Amendment 283 to Schedule 2 was **made** without division.

After debate, Amendment 284 to Schedule 3 was **made** without division.

After debate, Amendment 285 to Schedule 3 was **made** without division.

After debate, Amendment 286 to Schedule 5 was **made** without division.

After debate, Amendment 287 to Schedule 5 was **made** without division.

After debate, Amendment 288 to Schedule 5 was **made** without division.

After debate, Amendment 289 to Schedule 5 was **made** without division.

After debate, Amendments 290 to 293 to Schedules 5 and 6 were **made** without division.

After debate, Amendment 294 to Schedule 6 was **made** without division.

After debate, Amendment 295 to Schedule 6 was **made** without division.



After debate, Amendment 296 to Schedule 6 was **made** without division.

After debate, Amendment 297 to Schedule 7 was **made** without division.

After debate, Amendment 298 to Schedule 7 was **made** without division.

After debate, Amendments 299 to 304 to Schedule 7 were **made** without division.

After debate, Amendment 305 to Schedule 7 was **made** without division.

After debate, Amendments 306 to 313 to Schedules 7 and 8 were **made** without division.

After debate, Amendment 314 to Schedule 8 was **made** without division.

After debate, Amendment 315 to Schedule 8 was **made** without division.

After debate, Amendment 316 to Schedule 8 was **made** without division.

After debate, Amendment 317 to Schedule 8 was **made** without division.

After debate, Amendment 318 to Schedule 8 was **made** without division.

After debate, Amendments 319 to 323 to Schedule 8 were **made** without division.

After debate, Amendment 324 to Schedule 8 was **made** without division.

After debate, Amendment 325 to Schedule 8 was **made** without division.

After debate, Amendment 326 to Schedule 9 was **made** without division.

After debate, Amendment 327 to Schedule 9 was **made** without division.

The Public Services Ombudsperson Bill (NIA Bill 47/11-16) stood referred to the Speaker in accordance with section 10 of the Northern Ireland Act 1998.

*The Principal Deputy Speaker (Mr Newton) in the Chair*

## **7.2 Motion – Public Accounts Committee Reports and Memoranda of Reply**

### **Proposed:**

That this Assembly takes note of the following Public Accounts Committee Reports:

Report on Tackling Social Housing Tenancy Fraud in Northern Ireland (NIA 197/11-16)

Report on The Future Impact of Borrowing and Private Finance Commitments and Belfast Metropolitan College's Titanic Quarter PPP Project (NIA 202/11-16)

Report on Northern Ireland Courts and Tribunals Service Trust Statement for the year ended 31 March 2013 (NIA 215/11-16)

Report on Primary Care Prescribing (NIA 230/11-16)

Report on Managing and Protecting Funds Held in Court (NIA 246/11-16)

Report on the Cross-border Broadband Initiative: The Bytel project (NIA 253/11-16)

and the following Department of Finance and Personnel Memoranda of Reply:

Report on Tackling Social Housing Tenancy Fraud in Northern Ireland

Report on The Future Impact of Borrowing and Private Finance Commitments and Belfast Metropolitan College's Titanic Quarter PPP Project

Report on Northern Ireland Courts and Tribunals Service Trust Statement for the year ended 31 March 2013

Report on Primary Care Prescribing

Report on Managing and Protecting Funds Held in Court

Report on The Cross-border Broadband Initiative: The Bytel project

*Chairperson, Public Accounts Committee*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

*The Deputy Speaker (Mr Beggs) in the Chair*

### 7.3 Motion – Climate Change Conference in Paris

**Proposed:**

That this Assembly notes that the 2015 United Nations Climate Change Conference is taking place in Paris from 30 November to 11 December; considers that this is an opportunity to agree an ambitious global plan to tackle the threat of climate change; welcomes the Minister of the Environment's attendance at this conference to represent Northern Ireland; further notes that the projected reduction of greenhouse gas emissions of 33.3 per cent by 2025, based on 1990 levels, falls just short of the Programme for Government target of 35 per cent; and calls on the Minister of the Environment to work with his Executive colleagues to increase existing efforts and consider innovative approaches to help reduce emissions and move to a low carbon economy.

*Chairperson, Committee for the Environment*

### 7.4 Amendment

**Proposed:**

Leave out all after 'colleagues;' and insert:

'to introduce a Climate Bill for Northern Ireland that includes legally-binding, long-term and interim, targets on the reduction of greenhouse gas emissions.'

*Mr S Agnew*

*Debate ensued.*

The Question being put, the Amendment was **made** (Division 2).

The Question being put, the Motion, as amended, was **carried** (Division 3).

## 8. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Deputy Speaker*

*The Assembly adjourned at 9.20pm.*

**Mr Mitchel McLaughlin**

**The Speaker**

30 November 2015

# Food Hygiene Rating Bill

## Marshalled List of Amendments

### Further Consideration Stage

### Monday 30 November 2015

Amendments tabled up to 9.30am Wednesday, 25 November 2015 and selected for debate

**Amendment 1 [*Made*]**

Clause 17, Page 11, Line 33

At end insert -

‘(3) A notification under section 2, 3 or 4 may, without prejudice to any method of service authorised under section 24 of the Interpretation Act (Northern Ireland) 1954, be sent by ordinary post; and accordingly, unless the contrary is proved, a notification sent by ordinary post is to be treated as received on the day on which it would have been delivered in the ordinary course of post (with references in this Act to when a notification, or something with it, is received being read in light of this subsection).’

*Minister of Health, Social Services and Public Safety*

# Public Services Ombudsperson Bill

## Annotated Marshalled List of Amendments

### Further Consideration Stage

### Monday 30 November 2015

Amendments tabled up to 9.30am Wednesday, 25 November 2015 and selected for debate

**Amendment 1** [Made]

Clause 1, Page 1, Line 5

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 2** [Made]

Clause 1, Page 1, Line 6

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 3** [Made]

Clause 1, Page 1, Line 8

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 4** [Made]

Clause 2, Page 1, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 5** [Made]

Clause 2, Page 2, Line 2

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 6** [Made]

Clause 2, Page 2, Line 5

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 7** [Made]

Clause 2, Page 2, Line 7

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 8** [Made]

Clause 3, Page 2, Line 11

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 9** [Made]

Clause 3, Page 2, Line 14

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 10** [Made]

Clause 3, Page 2, Line 19

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 11** [Made]

Clause 4, Page 2, Line 28

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 12** [Made]

Clause 4, Page 2, Line 28

After 'transitional' insert 'and savings'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 13** [Made]

Clause 5, Page 2, Line 34

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 14** [Made]

Clause 6, Page 3, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 15** [Made]

Clause 7, Page 3, Line 28

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 16** [Made]

Clause 7, Page 3, Line 31

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 17** [Made]

Clause 7, Page 3, Line 33

Leave out first 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 18** [Made]

Clause 7, Page 3, Line 33

Leave out second 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 19** [Made]

Clause 8, Page 3, Line 39

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 20** [Made]

Clause 8, Page 4, Line 7

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 21** [Made]

Clause 8, Page 4, Line 11

Leave out 'clinical or'

*Chair, Committee for the Office of the First Minister and deputy First Minister*



**Amendment 22 [Made]**

Clause 9, Page 4, Line 16

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 23 [Made]**

Clause 9, Page 4, Line 19

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 24 [Made]**

Clause 10, Page 4, Line 21

Leave out first 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 25 [Made]**

Clause 10, Page 4, Line 21

Leave out second 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 26 [Made]**

Clause 10, Page 4, Line 24

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 27 [Made]**

Clause 11, Page 4, Line 32

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 28 [Made]**

Clause 12, Page 5, Line 5

Leave out 'First Minister and deputy First Minister acting jointly' and insert 'Office of the First Minister and deputy First Minister'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 29 [Made]**

Clause 12, Page 5, Line 11

Leave out paragraph (a)

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 30 [Made]**

Clause 12, Page 5, Line 33

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 31 [Negatived on Division]**

Clause 13, Page 6, Line 2

At end insert -

'(d)any person appointed by a Northern Ireland Minister to a position in the Northern Ireland Civil Service as a special adviser if the listed authority is a Northern Ireland department,'

*Mr Roy Beggs***Amendment 32 [Made]**

Clause 14, Page 6, Line 9

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 33 [Made]**

Clause 15, Page 6, Line 19

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 34 [Made]**

Clause 16, Page 6, Line 28

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 35 [Made]**

Clause 16, Page 6, Line 36

Leave out 'general medical' and insert 'primary medical'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 36 [Made]**

Clause 16, Page 7, Line 1

Leave out 'personal medical' and insert 'primary medical'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 37 [Made]**

Clause 17, Page 7, Line 11

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 38 [Made]**

Clause 18, Page 7, Line 27

Leave out 'the'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 39 [Made]**

Clause 18, Page 7, Line 28

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 40 [Made]**

Clause 18, Page 7, Line 30

After 'courses' insert 'provided or'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 41 [Made]**

Clause 18, Page 7, Line 33

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 42 [Made]**

Clause 18, Page 7, Line 35

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 43 [Made]**

Clause 19, Page 8, Line 13

Leave out 'First Minister and deputy First Minister acting jointly' and insert 'Office of the First Minister and deputy First Minister'

*Chair, Committee for the Office of the First Minister and deputy First Minister*

**Amendment 44** [Made]

Clause 19, Page 8, Line 16

At end insert -

‘(4) Before making an order under this section, the Office of the First Minister and deputy First Minister must consult the Ombudsman and any other person it thinks appropriate.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 45** [Made]

Clause 20, Page 8, Line 18

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 46** [Made]

Clause 21, Page 8, Line 29

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 47** [Made]

Clause 21, Page 8, Line 39

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 48** [Made]

Clause 21, Page 8, Line 41

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 49** [Made]

Clause 21, Page 9, Line 5

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 50** [Made]

Clause 22, Page 9, Line 8

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 51** [Made]

Clause 22, Page 9, Line 11

Leave out ‘Assembly Commission’ and insert ‘Office of the First Minister and deputy First Minister’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 52** [Made]

Clause 22, Page 9, Line 13

At end insert -

‘(3) Before making an order under this section, the Office of the First Minister and deputy First Minister must consult the Ombudsman and any other person it thinks appropriate.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 53** [Made]

Clause 23, Page 9, Line 15

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 54** [Made]

Clause 24, Page 9, Line 24

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 55** [Made]

Clause 24, Page 9, Line 27

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 56** [Made]

Clause 25, Page 9, Line 38

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 57** [Made]

Clause 25, Page 9, Line 41

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 58** [Made]

Clause 25, Page 10, Line 1

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 59** [Made]

Clause 26, Page 10, Line 3

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 60** [Made]

Clause 26, Page 10, Line 7

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 61** [Made]

Clause 26, Page 10, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 62** [Made]

Clause 26, Page 10, Line 13

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 63** [Made]

Clause 28, Page 10, Line 23

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 64** [Made]

Clause 28, Page 10, Line 27

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 65** [Made]

Clause 28, Page 10, Line 29

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 66** [Made]

Clause 29, Page 10, Line 35

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 67 [Made]**

Clause 30, Page 11, Line 5

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 68 [Made]**

Clause 30, Page 11, Line 8

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 69 [Made]**

Clause 30, Page 11, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 70 [Made]**

Clause 30, Page 11, Line 11

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 71 [Made]**

Clause 30, Page 11, Line 17

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 72 [Made]**

Clause 30, Page 11, Line 18

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 73 [Made]**

Clause 30, Page 11, Line 26

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 74 [Made]**

Clause 30, Page 11, Line 28

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 75 [Negatived without Division]**

Clause 30, Page 11, Line 29

Leave out from ' , and ' to end of line 31 and insert -

'(8) The Ombudsman shall, on receipt of a request from any person, ensure that that person shall be represented in the investigation by counsel, solicitor or otherwise.'

*Mr Alban Maginness**Mr Trevor Lunn***Amendment 76 [Made]**

Clause 30, Page 11, Line 32

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 77 [Made]**

Clause 30, Page 11, Line 34

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*



**Amendment 78 [Made]**

Clause 30, Page 11, Line 36

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 79 [Made]**

Clause 30, Page 11, Line 38

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 80 [Made]**

Clause 31, Page 12, Line 7

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 81 [Made]**

Clause 31, Page 12, Line 13

Leave out 'Ombudsperson's' and insert 'Ombudsman's'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 82 [Made]**

Clause 31, Page 12, Line 15

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 83 [Made]**

Clause 31, Page 12, Line 20

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 84 [Made]**

Clause 31, Page 12, Line 22

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 85 [Made]**

Clause 33, Page 13, Line 3

Leave out first 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 86 [Not moved]**

Clause 33, Page 13, Line 3

Leave out second 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 87 [Made]**

Clause 33, Page 13, Line 3

Leave out 'or any member of staff of the Ombudsperson' and insert ', any member of staff of the Ombudsman or any person authorised in accordance with paragraph 14(2) of Schedule 1'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 88 [Made]**

Clause 33, Page 13, Line 8

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 89** [*Made*]

Clause 34, Page 13, Line 25

Leave out paragraph (b)

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 90** [*Made*]

Clause 34, Page 13, Line 26

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 91** [*Made*]

Clause 34, Page 13, Line 27

Leave out subsection (2)

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 92** [*Made*]

Clause 35, Page 13, Line 34

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 93** [*Made*]

Clause 35, Page 13, Line 39

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 94** [*Made*]

Clause 35, Page 14, Line 1

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 95** [*Made*]

Clause 35, Page 14, Line 2

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 96** [*Made*]

Clause 35, Page 14, Line 5

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 97** [*Made*]

Clause 35, Page 14, Line 6

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 98** [*Made*]

Clause 35, Page 14, Line 8

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 99** [*Made*]

Clause 37, Page 14, Line 23

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 100** [*Made*]

Clause 37, Page 14, Line 26

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 101 [Made]**

Clause 37, Page 14, Line 28

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 102 [Made]**

Clause 37, Page 14, Line 29

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 103 [Made]**

Clause 37, Page 14, Line 30

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 104 [Made]**

Clause 37, Page 15, Line 1

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 105 [Made]**

Clause 38, Page 15, Line 5

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 106 [Made]**

Clause 38, Page 15, Line 7

Leave out 'subsection (1) applies' and insert 'a listed authority has been notified in accordance with subsection (1)'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 107 [Made]**

Clause 38, Page 15, Line 13

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 108 [Made]**

Clause 38, Page 15, Line 16

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 109 [Made]**

Clause 39, Page 15, Line 18

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 110 [Made]**

Clause 39, Page 15, Line 20

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 111 [Made]**

Clause 39, Page 15, Line 24

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 112 [Made]**

Clause 39, Page 15, Line 28

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 113 [Made]**

Clause 39, Page 15, Line 33

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 114 [Made]**

Clause 39, Page 15, Line 36

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 115 [Made]**

Clause 39, Page 15, Line 37

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 116 [Made]**

Clause 40, Page 15, Line 40

Leave out first 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 117 [Made]**

Clause 40, Page 15, Line 40

Leave out second 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 118 [Made]**

Clause 40, Page 16, Line 2

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 119 [Made]**

Clause 40, Page 16, Line 6

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 120 [Made]**

Clause 40, Page 16, Line 8

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 121 [Made]**

Clause 40, Page 16, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 122 [Made]**

Clause 42, Page 16, Line 17

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 123 [Made]**

Clause 42, Page 16, Line 23

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 124 [Made]**

Clause 43, Page 16, Line 33

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 125 [Made]**

Clause 43, Page 17, Line 5

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 126 [Made]**

Clause 43, Page 17, Line 7

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 127 [Made]**

Clause 43, Page 17, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 128 [Made]**

Clause 43, Page 17, Line 11

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 129 [Made]**

Clause 44, Page 17, Line 14

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 130 [Made]**

Clause 44, Page 17, Line 17

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 131 [Made]**

Clause 44, Page 17, Line 19

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 132 [Made]**

Clause 44, Page 17, Line 21

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 133 [Made]**

Clause 44, Page 17, Line 23

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 134 [Made]**

Clause 44, Page 17, Line 24

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 135 [Made]**

Clause 45, Page 17, Line 27

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 136 [Made]**

Clause 45, Page 17, Line 29

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*



**Amendment 137 [Made]**

Clause 46, Page 17, Line 32

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 138 [Made]**

Clause 46, Page 17, Line 33

Leave out 'Ombudsperson's' and insert 'Ombudsman's'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 139 [Negatived without Division]**

Clause 46, Page 17, Line 34

Leave out subsection (2)

*Mr Trevor Lunn**Mr Alban Maginness***Amendment 140 [Made]**

Clause 46, Page 17, Line 35

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 141 [Made]**

Clause 46, Page 17, Line 38

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 142 [Made]**

Clause 46, Page 17, Line 40

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 143 [Made]**

Clause 46, Page 17, Line 41

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 144 [Made]**

Clause 46, Page 18, Line 1

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 145 [Made]**

Clause 46, Page 18, Line 2

Leave out 'Ombudsperson's' and insert 'Ombudsman's'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 146 [Made]**

Clause 46, Page 18, Line 2

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 147 [Made]**

Clause 47, Page 18, Line 4

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 148 [Made]**

Clause 47, Page 18, Line 6

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 149 [Made]**

Clause 48, Page 18, Line 14

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 150 [Made]**

Clause 48, Page 18, Line 15

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 151 [Made]**

Clause 48, Page 18, Line 17

Leave out paragraph (c) and insert -

'(c)publication by a person aggrieved, in the course of communication with the Ombudsman, of any statement made by the person aggrieved in connection with an investigation,'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 152 [Made]**

Clause 48, Page 18, Line 18

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 153 [Made]**

Clause 48, Page 18, Line 20

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 154 [Made]**

Clause 48, Page 18, Line 21

Leave out 'Ombudsperson's' and insert 'Ombudsman's'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 155 [Made]**

Clause 49, Page 18, Line 27

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 156 [Made]**

Clause 49, Page 18, Line 31

After 'information' insert 'obtained by the Ombudsman which is'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 157 [Made]**

Clause 49, Page 18, Line 32

After 'information' insert 'obtained by the Ombudsman which is'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 158 [Made]**

Clause 49, Page 19, Line 6

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 159 [Made]**

Clause 49, Page 19, Line 14

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 160 [Made]**

Clause 49, Page 19, Line 18

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 161 [Made]**

Clause 50, Page 19, Line 38

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 162 [Made]**

Clause 50, Page 20, Line 8

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 163 [Made]**

Clause 50, Page 20, Line 11

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 164 [Made]**

Clause 50, Page 20, Line 14

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 165 [Made]**

Clause 51, Page 20, Line 19

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 166 [Made]**

Clause 51, Page 20, Line 22

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 167 [Made]**

Clause 51, Page 20, Line 23

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 168 [Made]**

Clause 52, Page 21, Line 15

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 169 [Made]**

Clause 54, Page 22, Line 13

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 170 [Made]**

Clause 54, Page 22, Line 18

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 171 [Made]**

Clause 54, Page 22, Line 21

Leave out 'clinical or'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 172 [Made]**

Clause 54, Page 22, Line 26

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 173 [Made]**

Clause 55, Page 22, Line 37

Leave out 'clinical or'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 174 [Made]**

Clause 55, Page 22, Line 41

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 175 [Made]**

Clause 56, Page 23, Line 2

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 176 [Made]**

Clause 57, Page 23, Line 7

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 177 [Made]**

Clause 57, Page 23, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 178 [Made]**

Clause 58, Page 23, Line 20

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 179 [Made]**

Clause 58, Page 23, Line 23

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 180 [Made]**

Clause 59, Page 24, Line 19

Leave out first 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 181 [Made]**

Clause 59, Page 24, Line 19

Leave out second 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 182 [Made]**

Clause 64, Page 25, Line 11

At end insert -

- ‘(a)section 1 (including Schedule 1),
- (b) section 3,’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 183 [Made]**

Clause 64, Page 25, Line 17

At end insert -

- ‘(g)in Schedule 2, paragraphs 5, 11 and 12.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 184 [Made]**

Clause 64, Page 25, Line 18

Leave out subsection (3)

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 185 [Made]**

Clause 64, Page 25, Line 38

After ‘to’ insert ‘the board of governors of’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 186 [Made]**

Clause 64, Page 25, Line 41

After ‘Schedule 1 (’ insert ‘the board of governors of’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 187 [Made]**

Clause 66, Page 26, Line 15

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 188 [Made]**

Schedule 1, Page 27, Line 7

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 189 [Made]**

Schedule 1, Page 27, Line 8

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 190 [Made]**

Schedule 1, Page 27, Line 11

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 191 [Made]**

Schedule 1, Page 27, Line 13

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 192 [Made]**

Schedule 1, Page 27, Line 16

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*



**Amendment 193 [Made]**

Schedule 1, Page 27, Line 23

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 194 [Made]**

Schedule 1, Page 27, Line 27

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 195 [Made]**

Schedule 1, Page 27, Line 28

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 196 [Made]**

Schedule 1, Page 27, Line 30

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 197 [Made]**

Schedule 1, Page 28, Line 3

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 198 [Made]**

Schedule 1, Page 28, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 199 [Made]**

Schedule 1, Page 28, Line 14

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 200 [Made]**

Schedule 1, Page 28, Line 18

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 201 [Made]**

Schedule 1, Page 28, Line 21

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 202 [Made]**

Schedule 1, Page 28, Line 27

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 203 [Made]**

Schedule 1, Page 28, Line 35

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 204 [Made]**

Schedule 1, Page 28, Line 40

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 205 [Made]**

Schedule 1, Page 28, Line 42

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 206 [Made]**

Schedule 1, Page 29, Line 1

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 207 [Made]**

Schedule 1, Page 29, Line 3

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 208 [Made]**

Schedule 1, Page 29, Line 3

Leave out 'appointed as'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 209 [Made]**

Schedule 1, Page 29, Line 7

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 210 [Made]**

Schedule 1, Page 29, Line 16

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 211 [Made]**

Schedule 1, Page 29, Line 20

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 212 [Made]**

Schedule 1, Page 29, Line 24

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 213 [Made]**

Schedule 1, Page 29, Line 32

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 214 [Made]**

Schedule 1, Page 29, Line 35

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 215 [Made]**

Schedule 1, Page 29, Line 36

Leave out 'Ombudsperson's' and insert 'Ombudsman's'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 216 [Made]**

Schedule 1, Page 30, Line 2

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 217 [Made]**

Schedule 1, Page 30, Line 3

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 218 [Made]**

Schedule 1, Page 30, Line 5

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 219 [Made]**

Schedule 1, Page 30, Line 14

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 220 [Made]**

Schedule 1, Page 30, Line 16

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 221 [Made]**

Schedule 1, Page 30, Line 19

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 222 [Made]**

Schedule 1, Page 30, Line 21

Leave out first 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 223 [Made]**

Schedule 1, Page 30, Line 21

Leave out second 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 224 [Made]**

Schedule 1, Page 30, Line 24

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 225 [Made]**

Schedule 1, Page 30, Line 26

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 226 [Made]**

Schedule 1, Page 30, Line 28

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 227 [Made]**

Schedule 1, Page 30, Line 29

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 228 [Made]**

Schedule 1, Page 30, Line 30

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 229 [Made]**

Schedule 1, Page 30, Line 34

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 230 [Made]**

Schedule 1, Page 30, Line 35

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 231 [Made]**

Schedule 1, Page 30, Line 36

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 232 [Made]**

Schedule 1, Page 30, Line 37

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 233 [Made]**

Schedule 1, Page 30, Line 38

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 234 [Made]**

Schedule 1, Page 30, Line 39

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 235 [Made]**

Schedule 1, Page 30, Line 40

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 236 [Made]**

Schedule 1, Page 30, Line 41

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 237 [Made]**

Schedule 1, Page 31, Line 1

Leave out 'appointment of'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 238 [Made]**

Schedule 1, Page 31, Line 4

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 239 [Made]**

Schedule 1, Page 31, Line 6

Leave out 'Ombudsperson's' and insert 'Ombudsman's'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 240 [Made]**

Schedule 1, Page 31, Line 8

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 241 [Made]**

Schedule 1, Page 31, Line 9

Leave out first 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 242 [Made]**

Schedule 1, Page 31, Line 9

Leave out second 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 243 [Made]**

Schedule 1, Page 31, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 244 [Made]**

Schedule 1, Page 31, Line 11

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 245 [Made]**

Schedule 1, Page 31, Line 15

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 246 [Made]**

Schedule 1, Page 31, Line 19

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 247 [Made]**

Schedule 1, Page 31, Line 31

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 248 [Made]**

Schedule 1, Page 31, Line 34

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 249 [Made]**

Schedule 1, Page 31, Line 35

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 250 [Made]**

Schedule 1, Page 31, Line 36

Leave out 'Ombudsperson's' and insert 'Ombudsman's'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 251 [Made]**

Schedule 1, Page 31, Line 37

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 252 [Made]**

Schedule 1, Page 31, Line 38

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*



**Amendment 253 [Made]**

Schedule 1, Page 32, Line 1

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 254 [Made]**

Schedule 1, Page 32, Line 5

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 255 [Made]**

Schedule 1, Page 32, Line 9

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 256 [Made]**

Schedule 1, Page 32, Line 11

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 257 [Made]**

Schedule 1, Page 32, Line 14

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 258 [Made]**

Schedule 1, Page 32, Line 20

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 259 [Made]**

Schedule 1, Page 32, Line 22

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 260 [Made]**

Schedule 1, Page 32, Line 23

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 261 [Made]**

Schedule 1, Page 32, Line 33

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 262 [Made]**

Schedule 2, Page 33, Line 7

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 263 [Made]**

Schedule 2, Page 33, Line 8

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 264 [Made]**

Schedule 2, Page 33, Line 20

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 265 [Made]**

Schedule 2, Page 33, Line 22

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 266 [Made]**

Schedule 2, Page 33, Line 27

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 267 [Made]**

Schedule 2, Page 33, Line 29

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 268 [Made]**

Schedule 2, Page 33, Line 30

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 269 [Made]**

Schedule 2, Page 33, Line 34

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 270 [Made]**

Schedule 2, Page 33, Line 41

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 271 [Made]**

Schedule 2, Page 34, Line 31

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 272 [Made]**

Schedule 2, Page 34, Line 35

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 273 [Made]**

Schedule 2, Page 34, Line 37

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 274 [Made]**

Schedule 2, Page 35, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 275 [Made]**

Schedule 2, Page 35, Line 12

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 276 [Made]**

Schedule 2, Page 35, Line 13

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 277 [Made]**

Schedule 2, Page 35, Line 32

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 278 [Made]**

Schedule 2, Page 36, Line 2

After 'where the' insert 'relevant'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 279 [Made]**

Schedule 2, Page 36, Line 8

Leave out 'the' and insert 'an'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 280 [Made]**

Schedule 2, Page 36, Line 10

Leave out sub-paragraph (2) and insert -

'(2) On and after the transfer day, the complaint may be made or referred under this Act, and the provisions of this Act apply for the purposes of making, referring, investigating and dealing with that complaint, save that if the complaint is made or referred within the time period required under —

(a) the Ombudsman (Northern Ireland) Order 1996, where the complaint could have been made or referred to the Assembly Ombudsman for Northern Ireland,

(b) the Commissioner for Complaints (Northern Ireland) Order 1996, where the complaint could have been made or referred to the Northern Ireland Commissioner for Complaints,

the complaint will be deemed to comply with the time period required under this Act.'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 281 [Made]**

Schedule 2, Page 36, Line 14

Leave out first 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 282 [Made]**

Schedule 2, Page 36, Line 14

Leave out second 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 283 [Made]**

Schedule 2, Page 36, Line 15

At end insert -

*'Commissioner for Public Appointments*

12.—(1) The repeal by this Act of the Commissioner for Complaints (Northern Ireland) Order 1996 does not affect the definition of "public appointment" in the Commissioner for Public Appointments (Northern Ireland) Order 1995.

(2) Sub-paragraph (1) does not affect the exercise of prerogative powers in respect of the Commissioner for Public Appointments referred to in section 23(3) of the Northern Ireland Act 1998.'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 284 [Made]**

Schedule 3, Page 36, Line 29

Leave out from ', a joint committee' to end of line 31

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 285 [Made]**

Schedule 3, Page 38, Line 39

Leave out 'and any committee or sub-committee of a new town commission'

*Chair, Committee for the Office of the First Minister and deputy First Minister*

**Amendment 286 [Made]**

Schedule 5, Page 40, Line 13

Leave out '56,'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 287 [Made]**

Schedule 5, Page 40, Line 23

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 288 [Made]**

Schedule 5, Page 40, Line 31

After 'maladministration' insert 'and that such injustice has not been remedied, and'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 289 [Made]**

Schedule 5, Page 40, Line 32

Leave out head (b)

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 290 [Made]**

Schedule 5, Page 40, Line 33

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 291 [Made]**

Schedule 6, Page 41, Line 12

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 292 [Made]**

Schedule 6, Page 41, Line 13

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 293 [Made]**

Schedule 6, Page 42, Line 9

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 294 [Made]**

Schedule 6, Page 43, Line 30

Leave out heads (b) and (c)

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 295 [Made]**

Schedule 6, Page 43, Line 37

Leave out 'sub-paragraph' and insert 'sub-paragraphs (2) to'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 296 [Made]**

Schedule 6, Page 43, Line 39

At end insert -

'(f) in sub-paragraph (6) leave out '(4)' and insert '(1)'.'

*Chair, Committee for the Office of the First Minister and deputy First Minister*

**Amendment 297 [Made]**

Schedule 7, Page 44, Line 39

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 298 [Made]**

Schedule 7, Page 45, Line 6

At end insert -

'and

(c) as if in section 31(5) the references to section 32(1) and (2) had no effect.'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 299 [Made]**

Schedule 7, Page 45, Line 10

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 300 [Made]**

Schedule 7, Page 45, Line 16

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 301 [Made]**

Schedule 7, Page 45, Line 25

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 302 [Made]**

Schedule 7, Page 45, Line 30

Leave out 'ombudspersons' and insert 'ombudsmen'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 303 [Made]**

Schedule 7, Page 45, Line 36

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 304 [Made]**

Schedule 7, Page 45, Line 40

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 305 [Made]**

Schedule 7, Page 45, Line 40

At end insert -

'(b) paragraph 16 (advisers) applies in relation to the functions of the Commissioner under this Part as it applies in relation to the functions of the Ombudsman under the 2015 Act,'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 306 [Made]**

Schedule 7, Page 45, Line 42

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 307 [Made]**

Schedule 7, Page 46, Line 5

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*



**Amendment 308 [Made]**

Schedule 7, Page 46, Line 8

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 309 [Made]**

Schedule 8, Page 46, Line 17

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 310 [Made]**

Schedule 8, Page 46, Line 21

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 311 [Made]**

Schedule 8, Page 46, Line 25

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 312 [Made]**

Schedule 8, Page 46, Line 27

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 313 [Made]**

Schedule 8, Page 46, Line 32

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 314 [Made]**

Schedule 8, Page 46, Line 35

After 'Equality Commission,' insert 'the board of governors of'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 315 [Made]**

Schedule 8, Page 46, Line 38

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 316 [Made]**

Schedule 8, Page 47, Line 1

After 'Northern Ireland department,' insert 'the board of governors of'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 317 [Made]**

Schedule 8, Page 47, Line 5

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 318 [Made]**

Schedule 8, Page 47, Line 7

After 'Northern Ireland department,' insert 'the board of governors of'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 319 [Made]**

Schedule 8, Page 47, Line 11

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill*

**Amendment 320 [Made]**

Schedule 8, Page 47, Line 13

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 321 [Made]**

Schedule 8, Page 47, Line 20

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 322 [Made]**

Schedule 8, Page 47, Line 23

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 323 [Made]**

Schedule 8, Page 47, Line 27

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 324 [Made]**

Schedule 8, Page 47, Line 29

After 'the Commissioner,' insert 'the board of governors of'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 325 [Made]**

Schedule 8, Page 47, Line 31

Leave out 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 326 [Made]**

Schedule 9, Page 49, Line 26

Leave out 'paragraph 14' and insert -

‘

paragraphs 13 and 14

,’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 327 [Made]**

Schedule 9, Page 49

Leave out from line 35 to the end of line 1 on page 50

*Chair, Committee for the Office of the First Minister and deputy First Minister*

# Northern Ireland Assembly

30 November 2015

Division 1

**Further Consideration Stage – Public Services Ombudsperson Bill (NIA Bill 47/11-16) (Amendment 31)**

The Question was put and the Assembly divided.

**Ayes:** 26

**Noes:** 63

**AYES**

*Mr Agnew, Mr Allister, Mr Beggs, Mr D Bradley, Mrs Cochrane, Mr Cochrane-Watson, Mr Cree, Mr Dickson, Mrs Dobson, Mr Eastwood, Dr Farry, Mr Ford, Mr Gardiner, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr McCallister, Mr B McCrea, Mr McGlone, Mrs McKeivitt, Mr McKinney, Mr A Maginness, Mrs Overend, Mr Rogers, Mr Swann.*

*Tellers for the Ayes: Mr Beggs, Mr Lunn.*

**NOES**

*Mr Anderson, Mr Attwood, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr Lyons, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Middleton, Mr Milne, Lord Morrow, Mr Murphy, Mr Newton, Ms Ni Chuilin, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Hazzard, Mr G Robinson.*

The following Member voted in both Lobbies and is therefore not counted in the result: Mr Nesbitt.

## 30 November 2015

### Division 2

#### Motion – Climate Change Conference in Paris – Amendment

##### Proposed:

Leave out all after 'colleagues;' and insert:

'to introduce a Climate Bill for Northern Ireland that includes legally-binding, long-term and interim, targets on the reduction of greenhouse gas emissions.'

*Mr S Agnew*

The Question was put and the Assembly divided.

**Ayes:** 46

**Noes:** 43

##### AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Ms Hanna, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Agnew, Mr B McCrea.*

##### NOES

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Lyons, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr Middleton, Lord Morrow, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Lyons, Mr G Robinson.*

The Amendment was **made**.

## 30 November 2015

### Division 3

#### **Motion - Climate Change Conference in Paris**

That this Assembly notes that the 2015 United Nations Climate Change Conference is taking place in Paris from 30 November to 11 December; considers that this is an opportunity to agree an ambitious global plan to tackle the threat of climate change; welcomes the Minister of the Environment's attendance at this conference to represent Northern Ireland; further notes that the projected reduction of greenhouse gas emissions of 33·3% by 2025, based on 1990 levels, falls just short of the Programme for Government target of 35%; and calls on the Minister of the Environment to work with his Executive colleagues to introduce a Climate Bill for Northern Ireland that includes legally binding, long-term and interim targets on the reduction of greenhouse gas emissions.

The Question was put and the Assembly divided.

**Ayes:** 46

**Noes:** 42

#### **AYES**

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Ms Hanna, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Ms Lo, Mr Maginness.*

#### **NOES**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Clarke, Mr Cochrane-Watson, Mr Craig, Mr Cree, Mrs Dobson, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Lyons, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr Middleton, Lord Morrow, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr Lyons, Mr G Robinson.*

The Motion, as amended, was **carried**.



# Northern Ireland Assembly

## **Papers Presented to the Assembly on 25 November 2015 - 30 November 2015**

### **1. Acts of the Northern Ireland Assembly**

### **2. Bills of the Northern Ireland Assembly**

Departments Bill (NIA Bill 70/11-16).

Addressing Bullying in Schools Bill (NIA Bill 71/11-16).

Health (Miscellaneous) Provisions Bill (NIA Bill 72/11-16).

### **3. Orders in Council**

### **4. Publications Laid in the Northern Ireland Assembly**

Tourism NI Annual Report and Accounts for the year ended 31 March 2015 (DETI).

Ilex Annual Report and Financial Accounts for the year ended 31 March 2015 (OFMDFM).

Northern Ireland Audit Office - Invest to Save Funding in Northern Ireland (NIAO).

Draft Legislative Consent Memorandum for the Enterprise Bill (Small Business Commissioner Provisions) (DETI).

The Annual Report and Accounts of the Northern Ireland Practice and Education Council (NIPEC) 1 April to 31 March 2015 (DHSSPS).

### **5. Assembly Reports**

### **6. Statutory Rules**

S.R. 2015/349 (Correction Slip) The Road Traffic (Fixed Penalty) (Offences) (Amendment) Order (Northern Ireland) 2015 (DOE).

S.R. 2015/371 The Renewable Heat Incentive Schemes (Amendment) Regulations (Northern Ireland) 2015 (DETI).

S.R. 2015/373 The U125 Old Grand Jury Road, Saintfield (Abandonment) Order (Northern Ireland) 2015 (DSD).

S.R. 2015/374 The U6076 Cloghanramer Road, Newry (Abandonment) Order (Northern Ireland) 2015 (DSD).

S.R. 2015/375 The Roads (Speed Limit) (No. 4) Order (Northern Ireland) 2015 (DRD).

#### **For Information Only**

S.R. 2015/377 The Cycle Routes (Amendment No. 3) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/378 The Parking Places and Waiting Restrictions (Belfast City Centre) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/379 The Prohibition of Waiting (Schools) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/380 The Parking Places on Roads (Disabled Persons' Vehicles) (Amendment No. 3) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/381 The Parking and Waiting Restrictions (Belfast) (Amendment No. 4) Order (Northern Ireland) 2015 (DRD).

S.R. 2015/382 The Bus Lanes (Upper Newtownards Road, Belfast – between Sandown Road and Knock Road) (Amendment) Order (Northern Ireland) 2015 (DRD).

## 7. Written Ministerial Statements

Written Ministerial Statement by Mervyn Storey MLA Minister for Social Development on the Regeneration Bill (DSD).

## 8. Consultation Documents

Consultation on a Culture and Arts Strategy 2016-2026 (DCAL).

## 9. Departmental Publications

Department of Finance and Personnel Memorandum on the Thirty First Report from the Public Accounts Committee – DRD: The Effectiveness of Public Transport in Northern Ireland (DFP)

Review of the Role and Regulation of the Private Rented Sector (DSD).

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications

